



FRUITLAND PARK CITY COMMISSION REGULAR MEETING AGENDA

February 8, 2018

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

Invocation – Reverend Deborah L. “Debbie” Allen, Community United Methodist Church

Pledge of Allegiance – Police Chief Michael Fewless

2. ROLL CALL

3. 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.

Approval of Minutes (city clerk)

January 11, 2018 regular meeting minutes

4. REGULAR AGENDA

(a) Resolution 2018-008 Library Impact Fee Revised ILA (city manager/Fruitland Park library director/city attorney)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AN AMENDED INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK, FLORIDA REGARDING USE OF LIBRARY IMPACT FEES FOR THE FRUITLAND PARK PUBLIC LIBRARY; PROVIDING FOR AN EFFECTIVE DATE.

(b) Resolution 2018-009 FY 2017-18 General Funds Surplus Budget Amendment (city treasurer/city manager/public works director/city attorney)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2017/2018 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO TRANSFER FUNDS FROM GENERAL FUND SURPLUS TO THE GENERAL FUND ROAD AND STREETS BUDGET FOR EXPENDITURES IN THE

PUBLIC WORKS DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

(c) Resolution 2018-010 FY 2017-18 Library Construction Budget Sales Surtax Budget Amendment (city treasurer/city attorney)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2017/2018 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER BY \$976,785 TO TRANSFER FUNDS TO THE LIBRARY CONSTRUCTION BUDGET FROM STORMWATER, PUBLIC SAFETY, CAPITAL IMPROVEMENT FUND (SALES SURTAX) AND ADDITIONAL GRANT MONEY FROM LAKE COUNTY TO THE GENERAL FUND; PROVIDING FOR THE AMENDMENT OF THE FISCAL YEAR 2017-2018 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

5. OFFICERS' REPORTS

(a) City Manager

(b) City Attorney

i. Lawsuits

ii. Notice of Claims

iii. Forfeiture of US Currency

iv. Village Park PUD - Westminster Communities of Florida Discussion

6. 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.

7. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

(b) Commissioner Lewis

(c) Commissioner Bell

(d) Vice Mayor Gunter, Jr.

8. MAYOR'S COMMENTS

9. ADJOURNMENT

DATES TO REMEMBER

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

February 9, 2018 – LCLC *Economic Development Update*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.

February 9, 2018 – Movie on the Lawn *The Emoji Movie* at 6:00 p.m.

February 10-16, 2018, Love Week

Saturday February 10, 2018 *5k Love Run*, City Hall at 8:00 a.m.

February 12, 2018, Parks, Recreation and Trails Advisory Board, Library Services Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.

February 13, 2018, Lake Emergency Management Services Inc., Board of Directors Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 2:30 p.m.

February 22, 2018, City Commission Regular at 6:00 p.m.

February 28, 2018, Lake-Sumter MPO Governing Board Meeting, 225 W Guava Street, #217, Lady Lake, Florida 32159 at 2:00 p.m.

March 8, 2018, New Fruitland Park Library Ground-Breaking Ceremony at noon.

March 8, 2018, City Commission Regular at 6:00 p.m.

March 9, 2018 – LCLC *TBD*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.

March 9, 2018 – Movie on the Lawn *TBD* at 6:00 p.m.

March 15, 2018, City Commission Workshop at 6:00 p.m.

March 22, 2018, City Commission Regular at 6:00 p.m.

April 5 2018, City Commission Workshop at 6:00 p.m.

April 7, 2018, Fruitland Park Day at 10:00 a.m.

Annual Barbeque Cook-Off at 12:00 p.m.

April 10, 2018, Lake Emergency Management Services Inc., Committee Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at TBD

April 12, 2018, City Commission Regular at 6:00 p.m.

April 13, 2018 – LCLC *TBD*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.

April 24, 2018, Lake Emergency Management Services Inc., Board of Directors Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 2:30 p.m.

April 25, 2018 Lake-Sumter MPO Governing Board Meeting, 225 W Guava Street, #217, Lady Lake, Florida 32159 at 2:00 p.m.

Any person requiring a 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.



AGENDA ITEM NUMBER 3

CONSENT AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Draft Minutes		
For the Meeting of:	February 8, 2018		
Submitted by:	City Clerk		
Date Submitted:	February 1, 2018		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes		
Description of Item:			
<p>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.</p> <p>Approve the January 11, 2018 regular minutes</p>			
Action to be Taken: Approval			
Staff's Recommendation: Approval, if there are no corrections or amendments.			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the consent agenda: _____
Mayor

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
January 11, 2018**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 11, 2018 at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Bell, Ray Lewis, and Rick Ranize.

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver; City Treasurer; Jeannine Racine; Police Chief Michael A. Fewless and Captain Eric Luce, Police Department; Interim Fire Chief Don Gilpin; Deputy Fire Chief, Tim Yoder, Fire Department; Parks and Recreation Department Director Michelle Yoder; Public Works Director Dale Bogle; Fruitland Park Library Director Jo Ann Glendinning; Community Development Administrative Assistant Tracy Kelley; and City Clerk Esther B. Coulson.

1. CALL TO ORDER

After Mayor Cheshire called the meeting to order at 6:00 p.m.; Reverend Seth Mulford, Grace Bible Baptist Church, gave the invocation, and Chief Fewless led in the Pledge of Allegiance to the Flag.

2. ROLL CALL

At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was present.

Mayor Cheshire announced the decorum for this evening's meeting.

3. LOCAL PLANNING AGENCY

By unanimous consent, the city commission recessed its meeting at 6:04 p.m. to convene the Local Planning Agency meeting and resumed its meeting at 7:09 p.m.

4. CONSENT AGENDA

Approval of Minutes

After Ms. Coulson explained that the December 14, 2017 regular meeting minutes were not yet available, she requested that they be postponed to the next meeting.

On motion of Commissioner Ranize, seconded by Vice Mayor Gunter and unanimously carried, the city commission postponed its action to approve the previously cited minutes to the next meeting.

5. REGULAR AGENDA

(a) Resolution 2018-002 Proposed Recreation Fees

Ms. Geraci-Carver read into the record the title of proposed Resolution 2017-002, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING A FEE SCHEDULE FOR USE OF CITY FACILITIES AND SERVICES; PROVIDING FOR REPEAL, AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Gunter and seconded by Commissioner Lewis that the city commission adopt Resolution 2018-002 as previously cited.

There being no comments from the public, **Mayor Cheshire called for a roll call vote on the motion with the city commission members voting as follows:**

Commissioner Ranize	Yes
Commissioner Lewis	Yes
Commissioner Bell	No
Vice Mayor Gunter	Yes
Mayor Cheshire	Yes

Mayor Cheshire declared the motion carried on a four-to-one (4-1) vote.

(b) Resolution 2018-003 Relatives and Personal Relationships – Mayor and Commissioners

Ms. Geraci-Carver read into the record the title of proposed Resolution 2017-003, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING A POLICY APPLICABLE TO MAYOR AND COMMISSIONERS RELATING TO RELATIVES AND PERSONAL RELATIONSHIPS; AND PROVIDING FOR AN EFFECTIVE DATE.

In response to Ms. Coulson’s inquiry, Ms. Geraci-Carver confirmed that provisions in subsections 1.(d) and (b) of the subject proposed resolution approved at the December 14, 2017 regular meeting were included.

Later in the meeting, Ms. Geraci-Carver explained, in response to Mayor Cheshire’s inquiry, that the provision relating to an employee or spouse living in the city and desiring to run for elected office is not included. Where such provision would affect the present employee, Ms. Geraci-Carver addressed the need for same to be amended in personnel policies and procedures manual and mentioned her plan to communicate with Ms. Dorothy “Dottie” F. Green, Latham, Shuker, Eden & Beaudine, LLP, attorney retained by the city, on her recommendation with said language.

On motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission tabled proposed Resolution 2018-003, as previously cited, to a future meeting.

- (c) **ITB 2017-001 New Public Library Facility Construction and Contract Award**
By unanimous consent, the city commission removed from the table considered at the November 9, 2017 regular meeting, its action on the selection committee's recommendation to award a contract to the bidder on Invitation to Bid 2017-001 New Public Library Facility Construction and Contract Award.

Mr. La Venia referred to Ms. Racine's email dated January 10, 2018 which accompanied the spreadsheet reflecting the Fruitland Park Library construction expenses to November 8, 2017; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Mr. La Venia reported that he has been in contact with the county regarding the library grant in the Interlocal Agreement (ILA) reflecting the fund transfer of \$350,000 for furniture purchase for the library to construction and whether the county is amenable to same; thus, the matter is anticipated to be considered on the county commission's February 13, 2018 regular meeting agenda.

In response to Mr. La Venia's reference to additional funding sources in the Fiscal Year 2017-18 budget discovered by Ms. Racine, he addressed the opportunity he had earlier this day in conversing with the architect on the unlikely completion of the construction by October 31, 2018, and his request for the city commission to consider approving the remaining funds of approximately \$84,000 for final payment to be possibly earmarked in the FY 2018-19 budget, and conveyed his request to Ms. Racine, if the city commission utilizes the local preference ordinance which is allowable with the state grant of \$500,000.

After discussion and later in the meeting, Commissioner Bell recognized the city's previous work experience with Signature Construction's work and noted that they are local contractors.

A motion was made by Commissioner Bell and seconded by Commissioner Ranize that the city commission approve the selection committee's recommendations to award a contract to Signature Construction Inc., as the most preferred, responsive and responsible local bidder on Invitation to Bid 2017-001 New Public Library Facility Construction and Contract Award at a cost of \$1,744,000.

With reference to the requested contractors' references lists, Commissioner Ranize gave a report -- from his previous contact with the top three companies' references who were past clients -- on Signature Construction receiving, by far, the overall best evaluation.

Mayor Cheshire called for a roll call vote on the motion with the city commission members voting as follows:

Commissioner Bell	Yes
Commissioner Lewis	Abstained
Commissioner Ranize	Yes
Vice Mayor Gunter	Yes
Mayor Cheshire	Yes

Mayor Cheshire declared the motion carried on a four-to-one (4-1) vote. Commissioner Lewis declared an abstention due to a conflict of interest as one of the bidders is a business client of his. (Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers was filed with the supplemental papers to the minutes of this meeting.)

By unanimous consent, the city commission called for public comment.

Mr. John Cook, representing Mark Cook Builders, explained that they submitted a bid on the subject project and indicated that they were the apparent low bidder. After he referred to Commissioner Ranize's comments regarding the references, Commissioner Ranize interjected retracting his previous statements disclosing that Cook Construction built his home in 1982. He relayed the advice he received from Ms. Geraci-Carver -- thus, ensuring that he posed no potential conflict of interest -- that he could participate in voting on the subject issue at this evening's meeting.

Mr. Cooke indicated that he heard no discussion on price, noted that typical procurement projects are advertised as the lowest, responsive and responsible bidder, and believed that his firm is both responsive and responsible and that he sees no reason to award the subject project to the second highest bidder.

At Mayor Cheshire's request, Ms. Geraci-Carver recognized the selection committee's consideration of applying the local preference criteria bringing Signature's price lower than Mark Cooke Builder's.

Mr. Jeffrey Myers, Signature Construction Inc, referred to Mr. Cooke's statements where he believed Cook Construction to be the lowest responsible bidder. Mr. Myers pointed out the phrase from the respective bid documents identifying Signature Construction as the lowest on the base bid and noted that if the alternate was included, they would not be. He expressed, on behalf of Signature Construction, the intent to continue with the relationship he has in working for the city.

(d) ITB 2017-002 Site Development of a New Public Library Facility Construction and Contract Award

By unanimous consent, the city commission removed from the table considered at the November 9, 2017 regular meeting, its action on the selection committee's recommendation to award a contract to the lowest bidder on Invitation to Bid 2017-002 Site Development of a New Public Library Facility Construction and Contract Award.

Earlier in the meeting, Ms. Racine recognized funding sources that could be utilized -- from stormwater, public safety impact fees and the remaining capital improvement program (CIP) that the city commission previously budgeted for the new public works building -- for the grants equaling approximately \$1.85 million.

Commissioner Ranize addressed the need to supplant additional funding towards the site development; referred to his previous telephone call to Mr. Duane K. Booth, Booth, Ern Straughan & Hoitt, Inc.'s (BESH's), engineer retained by the city, questioning the path to be taken on the site plan work from the wastewater site to Veterans Memorial Park Complex.

Commissioner Ranize relayed Mr. Booth's statements regarding obtaining an utility easement agreement in lieu of waiving existing code violations which was addressed with the property owner in March 2017. He conveyed his questions to Mr. Booth on why the matter was not dealt with -- recognizing that neither the city has the easement agreement nor is he interested in receiving same -- and noted the placement of the Berckman Street right-of-way (ROW) to the south as a one-way street which would not exceed \$50,000.

Commissioner Ranize believed that a previous action made by a city employee with a private resident places the city in an ethical and criminal issue and indicated that he feels that the city would need to amend the amount and allocate an additional \$50,000 to erect the stormwater line down the city's ROW.

In response to Mayor Cheshire's inquiry, Ms. Geraci-Carver referred to the draft proposed utility easement agreement she prepared and forwarded approximately a week ago to Mr. Charles "Chuck" Johnston, representing Mr. Wayne Goodridge, the property owner, to determine whether he would be amenable to executing same. She relayed their following remarks that:

- the easement in question be treated as an eminent domain action;
- request that the city obtain an appraisal;
- Mr. Goodridge be compensated for granting the easement in question; and
- the city proceed in that manner.

Ms. Geraci-Carver referred to her conversations with Mr. La Venia on bringing the subject issue to the city commission's attention at this evening's meeting on how it wishes to move forward by obtaining an appraisal or make an offer on purchasing the easement outright.

At Commissioner Ranize' request, Ms. Geraci-Carver gave a background on the subject issue where she was informed to work on two utility easement agreements; reported that she received information on the Lake Saunders Grove utility easement she sent out around October or November 2017; her submittal of the easement to the city for comment which was not received until December 2017 from BESH and obtainable at the request of Mr. La Venia, and the ability for her to complete the easement in dealing directly with the property owner and subsequently with Mr. Johnson.

Responding to Commissioner Ranize' concerns on the matter which should have been completed earlier in 2017, Mr. La Venia reported that the subject matter was forwarded on to Ms. Geraci-Carver who is making the necessary contacts and relayed the communication he had with Mr. Goodridge who is aware of the concerns raised by Commissioner Ranize. Mr. La Venia confirmed that there is no relationship relating to the easement, what the city was implementing, and the appearance before the Planning and Zoning (P&Z) Board and conveyed Mr. Goodrich's position that he has no intention of giving a free easement but expects to be compensated which was not the information that was brought back to him.

In response to Commissioner Bell's inquiry, Mr. La Venia relayed his conversations with BESH on the approximate cost of performing the easement work through Mr. Goodridge's property; indicated that if the city wishes to pursue; he believed that the estimated calculations -- based on easement size, term, and an appropriate price on a dollar square foot of about \$9,000 to \$11,000 -- to be a fair offer. Mr. La Venia noted that if the city wishes not to pursue, Mr. Goodridge would be compensated and not make any arrangements and relayed his willingness to consider selling to the city the easement without the eminent domain process.

Ms. Geraci-Carver conveyed Mr. Goodridge's desire for the city to follow the process of obtaining an appraisal. She relayed her previous remarks to Mr. La Venia that the city recently purchased the property for \$15,000 along with an easement from Humble Investments Inc.; that an appraisal would cost about \$2,500, and whether a similar offer ought to be made instead of expending funds towards an appraisal with a determination made as to whether Mr. Goodridge would be in agreement and if it would be the manner in which the commission wished to proceed.

Mayor Cheshire concurred with Commissioner Ranize' previous statements on his preference to spend the extra funds and work around the property.

Ms. Geraci-Carver opined, in answer to an inquiry posed by Commissioner Lewis, that it would be in order for him to comment on funding the site easement project and noted that he would have to recuse himself on the subject procurement ITB 2017-002 documents.

Regarding the connection lines, Commissioner Bell voiced his concurrence with Commissioner Lewis' comments on the likelihood of removing a natural buffer as a perpetual code violation and noted the benefits to the city

With respect to the connection of the wastewater line Mr. Beliveau described, in response to Vice Mayor Gunter's inquiry, the wastewater connection dimensions, location (the former Casino building), and implementation of a directional bore and the need for a ditch and indicated that a meeting with Mr. Booth is planned for January 17, 2018 to address same.

Mr. La Venia addressed the possibility of reducing the connection line's size and reported on Mr. Goodridge's offer to sell the property to the city for \$1 million.

By unanimous consent, the city commission authorized the city attorney to contact Mr. Wayne Goodridge, property owner and extend the offer for \$35,000.

After Commissioner Lewis acknowledged Commissioner Ranize' opposition and after discussion, Ms. Geraci-Carver reviewed from the sketch of description prepared by BESH the location of Berckman Street and Rose Avenue intersection as the proposed utility easement and the three lots Mr. Goodridge have which will not be encumbered by the easement to which Commissioner Lewis indicated that the trees would need to be removed. (A copy of the sketch is filed with the supplemental papers to the minutes of this meeting.)

Following much discussion and, **by unanimous consent, the city commission determined not to proceed with the proposed utility easement and authorized the city attorney to contact Mr. Wayne Goodridge, property owner, as previously cited.**

Later in the meeting **a motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission approve the selection committee's recommendation to award a contract to Pacqo Inc., as the lowest bidder on Invitation to Bid 2017-002 Site Development of a New Public Library Facility Construction and Contract Award at a cost of \$549,450.**

Commissioner Ranize referred to his email dated January 10, 2018 to Ms. Geraci-Carver regarding the subject contract; pointed out the Final Waiver of Liens and General Contractors Affidavit release of lien *City of Mascotte Palmwood Avenue and Laurel Street*, and cited the language under subsection 14.1.1., coordination of utility service He referred to Ms. Geraci-Carver's response on her plan to contact

BESH as they prepared the contract, and addressed the need for the corrected version to which Ms. Geraci-Carver voiced her concurrence confirming that BESH will be providing same. (Copies of the respective emails are filed with the supplemental papers to the minutes of this meeting.)

An amended motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission approve the selection committee's recommendation to award a contract to Pacqo Inc. as previously cited, and amend the contract correcting the language under the Final Waiver of Liens and General Contractors Affidavit referencing the *City of Mascot Palmwood Avenue and Laurel Street* and correcting the provisions under subsections 14.1.1., *City of Groveland* and 14.1.4., *SECO*, Coordination of Utility Service.

Mayor Cheshire called for a roll call vote on the amended motion with the city commission members voting as follows:

Commissioner Bell	Yes
Commissioner Ranize	Yes
Vice Mayor Gunter	Yes
Commissioner Lewis	Abstained
Mayor Cheshire	Yes

Mayor Cheshire declared the motion carried on a four-to-one (4-1) vote. Commissioner Lewis declared an abstention due to a conflict of interest as one of the bidders is a business client of his. (Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers was filed with the supplemental papers to the minutes of this meeting.)

(e) Financial Report – November 2017

Ms. Racine reviewed the November 2017 budget report.

After discussion and **on motion of Commissioner Lewis, seconded by Commissioner Bell and unanimously carried, the city commission approved the November 2017 financial report as submitted.**

QUASI-JUDICIAL PUBLIC HEARING

By unanimous consent, the city commission opened the public hearings.

(f) Ordinance 2018-002 – Rezoning and Development Agreement – Petitioner: First Baptist Church of Leesburg Inc.

It now being the time advertised to hold a public hearing to consider Ordinance 2018-002.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY
OF FRUITLAND PARK, FLORIDA, REZONING 14.95 ± ACRES

OF THE PROPERTY FROM GENERAL COMMERCIAL (C-2) TO MIXED USE PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; REZONING 52.70 +/- ACRES OF PROPERTY FROM PUBLIC FACILITIES DISTRICT (PFD) TO MIXED USE PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; REZONING 85.44 +/- ACRES OF PROPERTY FROM SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL (R-2) TO MIXED USE PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; REZONING 17.00 +/- ACRES OF PROPERTY FROM HIGH DENSITY RESIDENTIAL/NEIGHBORHOOD COMMERCIAL (R-3A) TO MIXED USE PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; REZONING 33.98 +/- ACRES OF PROPERTY FROM GREENBELT DISTRICT (GB) TO MIXED USE PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 25, 2018.)

On motion of Commissioner Lewis, seconded by Commissioner Bell and unanimously carried, the city commission continued the public hearing on proposed Ordinance 2018-002 Rezoning and Development Agreement to the Local Planning Agency workshop.

(g) Resolution 2018-004 Site Plan Approval - Mesos Medical Office –Petitioner: Carrie Ross Blevins

After Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-004, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING SITE PLAN APPROVAL FOR CONSTRUCTION OF A 5,954 SQUARE FEET MEDICAL OFFICE BUILDING LOCATED ON 466A IN FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Bell and seconded by Commissioner Ranize that the city commission adopt Resolution 2018-004 as previously cited.

There being no one from the public and **by unanimous consent, Mayor Cheshire closed the public hearing.**

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(h) Ordinance 2018-001 – Site Specific Comprehensive Plan – FLUE Petitioners: Terry F. and Rachel Ann Ross

It now being the time advertised to hold a public hearing to consider proposed Ordinance 2018-001, Ms. Geraci-Carver read into the record the following title the substance of which is as follows, and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA PURSUANT TO 163.3187(1), FLORIDA STATUTES; CHANGING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY PROVIDING TEXT AMENDMENTS SPECIFIC TO LOTS 15 – 19, BLOCK B, FIRST ADDITION TO DREAM LAKE SUBDIVISION, CONSISTING OF LESS THAN 10 ACRES IN SIZE, LOCATED ON SUNSET WAY, FOREST STREET AND PENNSYLVANIA AVENUE, SPECIFYING ALLOWABLE USES ON THE PROPERTY; AMENDING THE FUTURE LAND USE MAP AND FUTURE LAND USE DESIGNATION TO MULTI-FAMILY LOW DENSITY AS LIMITED BY THE SITE SPECIFIC AMENDMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 25, 2018.)

A motion was made by Commissioner Bell and seconded by Commissioner that the city commission approve the LPA’s recommendation of approval on Ordinance 2018-001 as previously cited.

Commissioner Ranize gave an overview on the Ross’ initial appearance before the city employee and the employee’s agreement to the request, without following policies and procedures and the city’s codes, to build duplexes; the Ross’ action, in good faith, taken on the permit reflecting duplexes which they built, the community’s observance of same where concerns were expressed, and the

involvement from LPG Urban and Regional Planners Inc., planners retained by the city, and city departments.

Commissioner Ranize referred to discussions at the August 24, 2017 regular meeting regarding the subdivision lots along Sunset Way where no activities had taken place since procedures were not followed on the private property; the suggestion for a survey to be conducted, and the need to relocate the fences. Believing that the city commission took a position in that regard, he recognized some of the properties exit Sunset Way; recalled the appearances of Mr. Dwight Dodd, former City of Fruitland Park resident, before the city commission requesting resolution to the drainage issue and noted the subsequent sale of his property and relocation to Georgia.

Commissioner Ranize recollected his request in October 2017 to Ms. Coulson for records on duplexes on Dennis Avenue, East Palm Street, Orange Street, Berkman Street, and east of Villa Road which resulted from a building permit identifying the property on Orange Street as a single family attached residential unit. He voiced his concerns that no records were found that same were considered before the P&Z Board.

Commissioner Ranize identified the area where the petitioner had built, maintained and sold the duplex property; expressed concerns that it is currently unkempt, and voiced his confidence that Mr. Ross will make the property presentable. Commissioner Ranize indicated that he believed that the subject issue is unfair to the residents; recognized that the process was not followed correctly, and felt the city has been lacking for not taking the corrective action. He noted those who are affected by the two properties that are already built; noted the need to proceed with the special exception use, and requested that the Ross' consider erect single family residences. Commissioner Ranize anticipated that the city and staff ensure that such situation does not reoccur again.

In concurring with Commissioner Ranize' comments, Commissioner Lewis voiced his belief that what has been built to be a good indicator which he considers as improving the area and that he would be voting in favor.

Vice Mayor Gunter recollected being raised in the subject area; noted the properties present condition, and expressed support of the subject item hoping that the proposed properties will improve the neighborhood.

Mr. Myers interpreted from the Florida Building Code the definitions of 'duplex', a single family residence; 'triplex', a single family residence, and 'fourplex', multifamily. He referred to the duplex properties at Harbor Hills Development located north of the city and voiced his concurrence with Vice Mayor Gunter's statements that it would be up to the code enforcement officer to take an action with respect to property upkeep.

Mr. Carlisle Burch, City of Fruitland Park resident, stated that the late Mr. Robert Harden, former City of Fruitland Park resident, allowed the condition of the subject properties to decline over the years; recognized the plans, the individual who purchased the property from him, had to build single family homes, and noted how the community was informed due the proposed lot sizes, the lack of room to erect septic tanks, and the needed wastewater connections which had to be carried out by Mr. Myers.

Mr. Burch voiced his agreement that the proposed two units are satisfactory which he believed ought to be separate issues. He recognized the approval of said units according to the city's land development regulations (LDRs); the affected-area residents' discovery on same, and city commission's desire to eliminate the duplexes and the single family medium density residential (R-2) zoning district. Mr. Burch relayed Mr. La Venia's comments, at that time, that he did not see any reason for duplexes and stated that he does not see any reason for same to be changed.

Mr. Burch acknowledged the petitioner's building which he considered as pleasing but not the layout and gave his opinion that the long-term single family units would be of greater benefit to the neighborhood. He voiced his opposition to the subject item noting that the approval process was not adhered to by city employees. Mr. Burch requested special exception use for the two lots only and allow for the single family designation to remain.

By unanimous consent, Mayor Cheshire closed the public hearing.

Mayor Cheshire called for a roll call vote on the motion on the floor with the city commission members voting as follows:

Commissioner Ranize	No
Commissioner Bell	Yes
Vice Mayor Gunter	Yes
Commissioner Lewis	Yes
Mayor Cheshire	Yes

Mayor Cheshire declared the motion carried on a four to one (4-1) vote.

(i) Resolution 2018-001 Special Exception Use – Petitioners: Terry F. and Rachel Ann Ross

It now being the time advertised to hold a public hearing to consider proposed Resolution 2018-001, Ms. Geraci-Carver read into the record the following title (showing revisions) the substance of which is as follows, and Mayor Cheshire called for interested parties to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FRUITLAND PARK, FLORIDA, GRANTING A SPECIAL

EXCEPTION USE IN THE R-2 ZONING DISTRICT TO ALLOW DUPLEXES, ON THE HEREIN DESCRIBED PROPERTY LOCATED ON ~~STREET~~ SUNSET WAY, FOREST AVENUE AND PENNSYLVANIA AVENUE, CITY OF FRUITLAND PARK, FLORIDA OWNED BY TERRY AND RACHEL ROSS; AND LARRY AND CARRIE BLEVINS, PROVIDING FOR CONDITIONS; PROVIDING FOR AN EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Geraci-Carver announced that the subject proposed resolution pertains to lots 13 to 19.

A motion was made by Commissioner Bell, and seconded by Commissioner Lewis that the city commission approve the LPA's recommendation of approval on Resolution 2018-001 as previously cited.

Mayor Cheshire called for a roll call vote on the motion on the floor with the city commission members voting as follows:

Commissioner Bell	Yes
Vice Mayor Gunter	Yes
Commissioner Ranize	No
Commissioner Lewis	Yes
Mayor Cheshire	Yes

Mayor Cheshire declared the motion carried on a four to one (4-1) vote.

END OF QUASI-JUDICIAL PUBLIC HEARING

PUBLIC HEARING

(j) Second Reading and Public Hearing – Ordinance 2017-030 Solid Waste Increase

It now being the time advertised to hold a public hearing to consider proposed Ordinance 2017-030, Ms. Geraci-Carver read into the record the following title the substance of which is as follows, and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 99.40 TO INCREASE THE SOLID WASTE RATES BY 2% WITH RATES EFFECTIVE AS OF JANUARY 1, 2018; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 14, 2017.)

A motion was made by Commissioner Lewis and seconded by Commissioner Bell that the city commission enact Ordinance 2017-030 as previously cited to become effective immediately as provided by law; however, the refuse collect rate adjustments shall be implemented on January 1, 2018.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(k) Second Reading and Public Hearing - Ordinance 2017-031- Personnel Policy and Procedures - Education Reimbursement Program

It now being the time advertised to hold a public hearing to consider proposed Ordinance 2017-031, Ms. Geraci-Carver read into the record the following title the substance of which is as follows, and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING REVISIONS TO POLICY 10.1 IN CHAPTER X IN THE CITY OF FRUITLAND PARK'S PERSONNEL POLICIES AND PROCEDURES MANUAL ADOPTED IN ORDINANCE 2017-016; PROVIDING FOR DIRECTIONS; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 14, 2017.)

A motion was made by Commissioner Lewis and seconded by Commissioner Bell that the city commission enact Ordinance 2017-031 as previously cited to become effective immediately as provided by law.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

END OF PUBLIC HEARING

6. OFFICERS' REPORTS

(a) City Manager

i. Northwest Lake Community - Cales Park Multipurpose Soccer Field Complex Status Report

Mr. La Venia reported that in one week, the sod is expected to be laid onto the Northwest Lake Community, Cales Park Multipurpose Soccer Field Complex and identified the \$100,000 earmarked in the FY 2017-18 budget and the matching grant of \$150,000 received from Lake County -- \$50,000 of which was transferred towards the construction of the Fruitland Park Library project.

Mr. La Venia addressed his intent to commence expending the matching grant -- with the anticipation of receiving reimbursement as long as the city meets its obligation – supplanting it towards parking along Shiloh Street which is a necessity and explained that prices will be obtained to implement same.

After Ms. Racine indicated that the \$50,000 was not transferred to the library project, she confirmed that said amount is still in the FY 2017-18 budget, to which Mr. La Venia addressed the need for the \$100,000 matching grant funds which he identified in the Northwest Lake Community Park ILA with the county. He reiterated the need for parking as the first step before the April 7, 2018 Fruitland Park Day event.

By unanimous consent, the city commission accepted the city manager's recommendation, as previously cited, authorizing him to obtain prices for the Northwest Lake Community, Cales Park Multipurpose Soccer Field Complex parking along Shiloh Street.

Mr. La Venia concurred in the affirmative to Commissioner Ranize's request that drawings or renderings on same will be provided.

ii. Public Works Department – Streets and Sidewalks Status Report

Mr. La Venia recalled Commissioner Ranize's concerns regarding sidewalks/roads and streets at the January 12, 2017 regular meeting; the city commission's discussions on a cost analysis and its consensus at the August 8, 2017 budget workshop meeting on the grading of the city's roadways in need of repair.

Mr. La Venia conveyed Mr. Booth's previous conversations with him on his ability to conduct an evaluation for up to \$3,000; requested the city commission's direction; thus, noting previous discussions regarding Sunset Way, and indicated that a survey would cost approximately \$10,000.

In response and after Commissioner Bell acknowledged the problems with Sunset Way and the public's previous identification of streets that are problematic noting Seminole Avenue (dirt road) and Old Dixie Avenue, Commissioner Ranize suggested the development of and taking action on a priority list.

Following Mr. La Venia's request for a commission workshop on how and when specific roads and streets would be implemented and the allocation of funds towards same, Mayor Cheshire concurred with Commissioner Lewis' suggestion that staff could identify the deteriorating roadways and utilize \$3,000 towards same rather than paying a consultant.

After discussion, Commissioner Ranize referred to the five-year CIP that Mr. La Venia provided in 2016 and recognized the larger projects that were planned for the future which were not identified.

Mayor Cheshire requested that Mr. Bogle report back to the city commission rating and identifying the worst city roadways, outlining the dimension of the dirt roads, and providing an estimate.

After discussion, Mr. La Venia, in agreeing with Commissioner Ranize's statements, recognized Lime Street, Sunset Way, and Old Dixie Avenue as large projects which will be included in the five-year CIP; addressed the need for estimated costs, and mentioned his plan to address same with Mr. Booth when he plans to meet with him on January 17, 2018.

Commissioner Ranize referred to his November 14, 2017 email to Mr. La Venia regarding sidewalks and recognized the lack of sidewalks which is a safety hazard for school students walking on West Miller Street towards Cales Memorial Recreation Complex and the proposed multipurpose soccer field. He believed said roadway, a county road, should be on the top of the priority list and questioned the availability of grant funding. (A copy of the memorandum is filed with the supplemental papers to the minutes of this meeting.)

After discussion, Mr. Bogle confirmed, in the affirmative in response to Mayor Cheshire's suggestion, that he will provide the information from CR 466A to said complex by email and include a copy to Ms. Coulson.

(b) City Attorney

i. James and Rita Homonai v. City of Fruitland Park

Announcement Attorney Client Session - James and Rita Homonai v. City of Fruitland Park et. al., Case No.: 5:16 cv-610-oc-30PRL

Later in the meeting, Ms. Geraci-Carver announced the coordination of an attorney-client session to be held on Tuesday, January 23, 2018 at 6:30 p.m. at city hall commission chambers and read into the record the respective notice; a copy of which is filed with the supplemental papers to the minutes of this meeting.

ii. Green v. City of Fruitland Park, Hunnewell, Isom and Isaacs

Earlier in the meeting, Ms. Geraci-Carver reported that attempts are being made to obtain a voluntary dismissal on the Green v. City of Fruitland Park, Hunnewell, Isom and Isaacs' case which is being worked on in light of the testimony which arose from the previous deposition.

iii. Notice of Claim – James Hartson

Ms. Geraci-Carver stated that she had nothing to report on the James Hartson notice of claim.

iv. Notice of Claim – Larry Odum

Ms. Geraci-Carver stated that she had nothing to report on the Larry Odum notice of claim.

7. PUBLIC COMMENTS

Mr. Ray Clark, City of Fruitland Park resident, expressed concerns on the animal control's management with a number of stray animals around Lake County and the limited number of employees during office working hours covering a scope expanding throughout the county. He recognized that the city originally oversaw animal control before it was managed by the county; questioned why funding could not be expended towards same, and inquired why the city cannot take over.

Mr. Clark addressed the consequences resulting from animal bites; stressed the urgent need for the city to take action as individuals are neglecting their animals, and noted the current situation worsening.

Ms. Janet C. Yarborough and neighbor Mr. "Bob" Charles R. Scruggs, Fruitland Park residents, voiced major complaints regarding the overrun of neighborhood cats and the cleanup of their waste. Mr. Scruggs gave his understanding of the pet ownership limit for each household; recognized the overpopulation problem which has existed for more than 45 years, and requested that the city send out notices reminding pet owners on the limit established on the number of pets allowed.

Mr. Scruggs recognized the procedures a not-for-profit organization undertakes when responding and visiting the site for a fee; trapping and removing animals in individuals' yards, and returning them back to their original place once treated at their facilities which he believes does not resolve the problem.

Ms. Yarborough voiced her frustrations in visiting the county and obtaining animal trappers for their yards. She relayed the county's dissatisfaction, when visiting her, on the manner in which the animal was trapped.

Despite the county's animal services offices operating hours, Mr. Scruggs reported that he and his neighbor were personally threatened by the Lake County Sheriff's Office who indicated that they would be detained as animal control calls were not made by them sooner.

After Mayor Cheshire suggested that Mr. La Venia and Ms. Geraci-Carver determine what could be implemented to resolve the matter and Ms. Yarborough relayed the city's code enforcement officer's response after it was questioned why the neighbor was feeding the wild cats, Mayor Cheshire assured Ms. Yarborough that Mr. Le Venia and Ms. Geraci-Carver will look into the matter and the city will be communicating with her.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

i. Animal Control

Commissioner Ranize voiced his concurrence regarding the complaints relating to cats; relayed his experience with same writing off approximately \$5,000 in inventory as a result of litter and defecation; the disputes he had with the county's animal services office, and the trapping method utilized which yields the same problem. He suggested voicing said concerns to the county commission.

ii. P&Z Board

Commissioner Ranize disclosed his attendance at the December 13, 2017 P&Z Board meeting when it considered the rezoning and development agreement for the petitioner, First Baptist Church of Leesburg Inc. He relayed the comments from Mr. Art A. Ayriss, representing First Baptist Church of Leesburg, on the church construction and the plan to bring the first academy along with the athletic football and track area.

Commissioner Ranize disclosed his telephone conversations with Mr. Ayriss, several days after the meeting, indicating that he would not be discussing anything about zoning on said proposed property. Commissioner Ranize relayed that the matter of the church, football field, and the track did not come before the city commission and conveyed Mr. Ayriss' response that it was believed that same would not be the right fit for the property.

In response to Commissioner Bell's statements that he does not recall such discussion before the city commission, Commissioner Ranize voiced concerns on decisions being made unbeknownst to the city commission and same not being presented before the body.

With respect to Regular Agenda Items 5.(h) and (i) relating to the petitioners Terry F. and Rachel Ann Ross approved earlier in this evening's meeting, Commissioner Ranize cited why he opposed due to the lack of opportunity for the residents and the commission and requested that procedures be followed when presenting matters before the city commission.

(b) Commissioner Lewis

i. Lake EMS

Commissioner Lewis reported on imminent changes relating to Lake Emergency Medical Services (EMS) Inc.'s structure and the process initiated by the county commission. He relayed his January 10, 2018 conversations with Mr. Jerry Smith, Lake EMS Executive Director, who shared his plans to communicate with all county's directors, municipal managers, and fire chiefs. Commissioner Lewis pointed out the retention of a consultant (Fitch & Associates LLC) who recently met with Messrs. La

Venia, Smith and himself, on Lake EMS' organizational changes, its integration, consolidation and transfer to the county. He addressed the importance in voicing any concerns.

ii. Stormwater – Urick Street to Mirror Lake Drive

Commissioner Lewis relayed a resident's request regarding the stormwater runoff from the development on Urick Street and the fowling of Mirror Lake Drive and recalled his suggestion at the December 14, 2017 regular meeting for Mr. La Venia to write a letter to St. John's River Water Management District (SJRWMD) which did not occur.

In response, Mr. La Venia gave his reassurance that a letter will be sent on January 12, 2018 and Ms. Geraci-Carver responded to a question posed by Commissioner Ranize that she would work with Mr. La Venia.

After Commissioner Lewis addressed the subject issue, Mr. Bogle explained that he will be working with Ms. Mary-Ann Krisovitch, Spanish Moss Properties Inc. (consultant retained by the city on National Pollutant Discharge Elimination System Stormwater Program), to visit the site to conduct preliminary reviews during the week of January 15, 2018. He addressed his intent to provide related photographs to Ms. Geraci-Carver.

(c) Commissioner Bell

i. Lake EMS Inc.

Commissioner Bell recalled his pervious membership on Lake EMS, the hierarchy of its board, and the subsequent changes made in the makeup of the county and municipal elected representatives.

In response, Commissioner Lewis conveyed Mr. Smith's financial report made at the December 5, 2017 Lake EMS Board Meeting; on the implications of the negative cash position resulting from Hurricane Irma and his pursuit for pooled cash from the county. He relayed Mr. Smith's indication of County Manager Jeff Cole, the executive office manager, and Fire Chief Jim Dickerson, leading towards the initial steps of a merger.

ii. Berckman Street and Old Dixie Avenue Intersection

Commissioner Bell reported that he has been approached by residents on safety issues relating to the intersection on Old Dixie Avenue and Berckman Street and relayed their request to erect a four-way stop sign.

After discussion and with the exception of the highways, Commissioner Bell voiced his belief that intersection in question yields the highest traffic accident.

Following further discussion and **by unanimous consent, the city commission accepted the city manager's recommendation to write a**

letter to Lake County Manager Jeff Cole to pursue a four-way stop sign on the intersection of Old Dixie Avenue and Berckman Street.

(d) Vice Mayor Gunter, Jr.

Vice Mayor Gunter stated that he had no comments at this time.

9. MAYOR'S COMMENTS

(a) Police Department, Public Works Department and Code Enforcement

After Mayor Cheshire conveyed compliments received regarding the performance of code enforcement and police and public work departments, Commissioner Ranize addressed the need to work on the city's policies and procedures for building permits.

(b) Pine Ridge Dairy Road

Mayor Cheshire referred to Commissioner Ranize' concerns made earlier this evening at the LPA meeting -- when considering proposed Rezoning and Development Agreement Ordinance 2018-002, for the First Baptist Church of Leesburg Inc. -- regarding the increased traffic on Pine Ridge Dairy Road.

Mayor Cheshire noted drivers speeding in the area (namely, Veterans Memorial Park Complex Park, Josephine Drive, Bottomley Lane, Cutoff Road to the triangle, and Rooks Avenue) towards US Highway 27/441; recognized the existing posted speed of 25 mph, and questioned what could be implemented.

(c) City Commission 2018 Proposed Workshops

Mayor Cheshire referred to the 2018 proposed workshops list prepared by Ms. Coulson; a copy of which is filed with the supplemental papers to the minutes of this meeting. He addressed the need for the city commission to give Mr. La Venia guidance on same and reviewed the following:

i. Brownfields Redevelopment Program (Florida Medical Industries Inc.)

Mayor Cheshire recalled the city commission's discussions at its December 14, 2017 regular meeting inquiring on whether the Florida Medical Industries Inc. site was contaminated.

ii. Building Maintenance – Generator

Mayor Cheshire referred to Commissioner Ranize' previous comments on the need for an emergency generator; the refurbishment of city hall, and addressing same during the 2018 budget workshop process or at a workshop.

In answering, Mr. La Venia pointed out a recent staff committee comprised of Chief Fewless, Interim Chief Gilpin and himself where they expect to meet in one week regarding emergency management.

In response and upon Mayor Cheshire's suggestion, **the city commission, by unanimous consent, agreed for the staff committee to meet and report back with a disaster response and an emergency management plan where at that time, discussions will be held regarding a generator. Additionally in recognizing the existing available grant funding, the city commission agreed for the city manager to communicate with Mr. Fred Fox, the grant writer retained by the city.**

iii. CIP

After Mr. La Venia requested the city commission's input on the CIP, upon Mayor Cheshire's suggestion and **by unanimous consent, the city commission directed the city manager to provide to the city commission the five-year Capital Improvement Plan where a workshop would be held on same, if required.**

iv. CDBG 2018 Cycle

Mr. La Venia explained that he has since communicated with Mr. Fox regarding the 2018 Community Development Block Grant cycle and addressed the plan to place same on a future agenda for discussion.

v. Comprehensive Plan/LDRs

Mayor Cheshire referred to his discussions with Mr. Greg Beliveau, LPG Urban and Regional Planners Inc., on his willingness to proceed reviewing the LDRs where Ms. Coulson would communicate with the city commission on a date and time in which to hold workshops on the following:

- Chapter 163, Sign Regulations;
- Chapter 151, Definitions and Interpretations, and
- Chapter 152, Administration

In response to an inquiry posed by Vice Mayor Gunter on the need to review architectural design, **by unanimous consent, the city commission agreed with Mayor Cheshire's suggestion to commence with the workshops on the previously cited Land Development Regulations and proceed with others subject items from that point.**

vi. Parks and Recreation

Mayor Cheshire recognized that a workshop is not required for parks and recreation.

vii. Public Works Building

Mayor Cheshire recognized that a workshop is not required for the public works building.

viii. Landscaping

Mr. La Venia addressed the need to review the whole city-wide landscaping project.

After discussion, Vice Mayor Gunter relayed the city commission's direction at its July 27, 2017 regular meeting regarding the landscape maintenance on US Highway 27/SR 441 and CR 466A and the utilization of funds with existing public works personnel.

Mr. Bogle addressed the need to pay \$237,350 for landscaping improvements and referred to his previous meeting held on working out preliminary costs.

After much discussion, Commissioner Lewis pointed out the city's obligations on landscaping improvements for US Highway 27/SR 441 under the joint participation agreement with the Florida Department of Transportation (FDOT) and Mayor Cheshire referred to the city commission's previous consideration to implement the landscaping improvements.

After Mayor Cheshire requested that staff review the subject joint participation agreement, and revisit same, Mr. La Venia recognized that the city was not planning to budget the \$40,000, if a site plan is to be conducted at the subject location; suggested that the subject issue be reviewed during the FY 2018-19 budget process where a determination ought to be made, and acknowledged the availability of the public works staff to maintain said area.

ix. Streets and Sidewalks

The streets and sidewalks status update report was addressed earlier in this evening's meeting.

x. Street Lights Repair

The city commission took no action on the street lights repair from Berckman Street and College Avenue.

xi. Wastewater Connection Line

In response to Commissioner Ranize' inquiry as to whether the city has an executed wastewater connection line agreement, Ms. Geraci-Carver indicated, that she is working on same. She referred to her recent communications with the individual -- who deals with the respective property where he indicated that he had retained an attorney with whom she reached -- relayed the attorney's response that he had reviewed the agreement to determine the status; however, he was not authorized at that time to comment. Ms. Geraci-Carver addressed her plan to follow-up on the issue on January 15, 2018.

In response to Commissioner Ranize' inquiry, Mr. Bogle gave the status of the connection line from the Town of Lady Lake's wastewater site which is complete; identified the location (up to the ROW to Lake Eller Drive) where the final portion of the (Lake Saunders Groves) easement rights is required, and addressed his attempts to communicate with Hamlet Construction Company, underground utility company, regarding the method of connectivity.

Following much discussion on incomplete paperwork on various projects, Mayor Cheshire recalled the "no" votes by Commissioner Ranize and himself on the city commission's actions at its June 8, 2017 regular meeting to not proceed with the investigation regarding the Terry Ross Development project. He addressed the subsequent initiative taken by Mr. La Venia to implement policies and procedures of the community development department preventing such deficiencies from reoccurring.

xii. LPA Workshop – Proposed Ordinance 2018-002 Rezoning and Development Agreement

Earlier in the meeting, Mayor Cheshire recognized the city commission's earlier actions to continue the public hearing on proposed Ordinance 2018-002 Rezoning and Development Agreement to the LPA workshop regarding First Baptist Church of Leesburg Inc..

(d) Dates to Remember

Mayor Cheshire recognized the following dates to remember:

- January 12, 2018 – LCLC *Let Cities Work Initiative and Organizational Meeting*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;
- January 12, 2018 – Movie on the Lawn – Cancelled;
- January 15, 2018, Dr. Martin Luther King Jr. Birthday – City Offices Closed;
- January 23, 2018, Lake Emergency Management Services Inc. (EMS), Employee Issues Committee Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, FL 32778 at 3:00 p.m.
- January 23, 2018, Lake EMS, EMS Operations Committee Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, FL 32778 at 4:00 p.m.;
- January 23, 2018, Attorney-Client Closed Session at 6:30 p.m.;
- January 25, 2018, City Commission Regular at 6:00 p.m.
- January 29-30 Florida League of Cities' Legislative Action Days, Doubletree by Hilton, Tallahassee at 9:00 a.m.;
- January 30, 2018, Lake EMS Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, FL 32778 at 2:00 p.m.;

- February 1, 2018, City Commission Regular at 6:00 p.m., which Mr. La Venia indicated that he will communicate with Mayor Cheshire in that regard.
- February 9, 2018 – LCLC *TBD*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;
- February 9, 2018 – Movie on the Lawn *The Emoji Movie* at 6:00 p.m.;
- February 10-16, 2018, Love Week;
Saturday February 10, 2018 *5k Love Run*, City Hall at 8:00 a.m., and
- February 28, 2018, Lake-Sumter MPO Governing Board Meeting, 225 W Guava Street, #217, Lady Lake, Florida 32159 at 2:00 p.m.

By unanimous consent, the city commission agreed with the city manager's suggestion to hold a Local Planning Agency workshop on January 18, 2018 at 6:00 p.m. in the city commission chambers to address Ordinance 2018-002, Rezoning and Development Agreement – Petitioner: First Baptist Church of Leesburg Inc. and that questions relating to the subject issue would be forwarded to the petitioner.

10. ADJOURNMENT

There being no further business, the meeting adjourned at 9:15 p.m.

The minutes were approved at the January 28, 2018 regular meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Chris Cheshire, Mayor

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Lewis, Raymond Preston</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Fruitland Park City Commission</i>
MAILING ADDRESS <i>507 Lewis St</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>Fruitland Park Lake</i>	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED <i>11/11/18</i>	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Raymond Lewis, hereby disclose that on January 11, 20 18:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, Lee Woods Construction and Professional Dir.
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Both of the referenced contractors purchase insurance policies from me for which I am paid a commission

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

1/11/18
Date Filed

Raymond P. Lewis, II
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.



**AGENDA ITEM
NUMBER
4a**

5

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Resolution 2018-008 Library Impact Fee Revised ILA		
For the Meeting of:	January 11, 2018		
Submitted by:	City Manager/Fruitland Park Library Director/City Attorney		
Date Submitted:	January 31, 2018		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes		
Description of Items: Resolution 2018-008 Library Impact Fee Revised ILA			
Action to be Taken: Adopt Resolution 2018-008.			
Staff's Recommendation: Approval.			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

RESOLUTION 2018-008

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AN AMENDED INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK, FLORIDA REGARDING USE OF LIBRARY IMPACT FEES FOR THE FRUITLAND PARK PUBLIC LIBRARY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park is a member of the Lake County Library System and therefore is eligible to receive County library impact fees; and

WHEREAS, on May 18, 2017, the Lake County Library Advisory Board voted to recommend approval of funding for the construction and equipment costs related to capital improvements of the Fruitland Park library in the amount \$431,130.11; and

WHEREAS, on January 18, 2018 the Lake County Library Advisory Board voted to recommend approval for the City to use the \$350,000.00 that was designated to furnish the Library, to now assist in the construction of the Library; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida finds the amended agreement is beneficial to the City of Fruitland Park and its residents; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida desires to enter into the Amended Interlocal Agreement between Lake County, Florida and the City of Fruitland Park, Florida Regarding Use of Library Impact Fees for the Fruitland Park Public Library.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Amended Interlocal Agreement between Lake County, Florida and the City of Fruitland Park, Florida Regarding the Use of Library Impact Fees for the Fruitland Park Public Library (2013, 2014, 2015 & 2017), a copy of which is attached hereto, is approved.

Section 2. The Commission authorizes the Mayor to execute the Amended Interlocal Agreement.

Section 3. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED this 8th day of February, 2018, by the City Commission of the City of Fruitland Park, Florida.

SEAL CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA

CHRIS CHESHIRE, MAYOR

ATTEST:

ESTHER COULSON, CITY CLERK

Mayor Cheshire	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Vice Mayor Gunter	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Bell	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Lewis	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Ranize	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)

Approved as to form:

Anita Geraci-Carver, City Attorney

AMENDED INTERLOCAL AGREEMENT
BETWEEN
LAKE COUNTY, FLORIDA
AND
THE CITY OF FRUITLAND PARK
REGARDING
USE OF LIBRARY IMPACT FEES FOR THE FRUITLAND PARK PUBLIC LIBRARY
(2013, 2014, 2015 & 2017)

THIS AMENDED INTERLOCAL AGREEMENT is made by and between Lake County, Florida, a political subdivision of the State of Florida, hereinafter the “County,” and the City of Fruitland Park, Florida, hereinafter the “City”, for use of library impact fee monies for the Fruitland Public Library located at 205 W. Berckman Street, Fruitland Park, Florida 34731, hereinafter the “Library”.

WHEREAS, Ordinance No. 2003-99, approved November 18, 2003, created a library impact fee for the purposes of providing a source of revenue to fund the construction or improvement of the County library system; and

WHEREAS, Section 22-61, Lake County Code, states that library impact fee money shall be used solely for the purpose of constructing or improving the county library system, including, but not limited to, design and construction plan preparation, permitting and fees, land acquisition, construction and design of new facilities, and acquisition of collection items, public access computers and other capital equipment; and

WHEREAS, the City entered into an interlocal agreement with the County to become a member of the Lake County Library System; and

WHEREAS, Lake County Policy LCC-63 sets forth the process for distribution of funds from the Library Impact Fee Trust Fund; and

WHEREAS, the City initially submitted three (3) Lake County Library Impact Fees Project Applications, copies of which are attached hereto and incorporated herein collectively as **Attachment “A”**, requesting a total amount of \$466,000.00 for construction and equipment costs related to capital improvements to the Library based upon demand placed on the Library; and

WHEREAS, on May 18, 2017, the Lake County Library Advisory Board voted to recommend approval of funding in the amount \$431,130.11 to the City; and

WHEREAS, on January 16, 2018, the County received a revised Lake County Library Impact Fees Project Application dated January 4, 2018, attached hereto and incorporated herein as **Attachment “B”**, from the City in which the City seeks to use the \$350,000.00 that was designated to furnish the Library, to now assist in the construction of the Library, due to the cost of construction being higher than anticipated; and

WHEREAS, on January 18, 2018, the Lake County Library Advisory Board voted to recommend approval for the City to use the \$350,000.00 that was designated to furnish the Library, to now assist in the construction of the Library; and

NOW, THEREFORE, in consideration of the mutual benefits, covenants and agreements set forth herein, the parties hereby agree as follows:

1. **Recitals.** The foregoing recitals are true and correct and incorporated herein by reference.

2. **2017 Library Impact Fee Funds.** For the year 2017, the County agrees to provide funding in the maximum amount of **\$431,130.11** to the City from the Library Impact Fee Trust Fund, for the following:

A. The County agrees to provide funding to the City in the maximum amount of **Sixteen Thousand Dollars and 00/100 (\$16,000.00)** to be used solely for the purchase of at least sixteen (16) public access computers for the Library, as more particularly described in the City’s application for use of library impact fee funding dated February 24, 2017, designated as application “B”.

B. The County agrees to provide funding to the City in the maximum amount of **Four Hundred Fifteen Thousand One Hundred Thirty Dollars and 11/100 (\$415,130.11)** in order to partially fund construction of a new library facility, as more particularly described in the City’s application for use of library impact fee funding dated February 24, 2017, designated as application “C”, and the City’s revised application for use of library impact fee funding dated January 4, 2018, attached as **Attachment “B”**.

3. **2013, 2014, and 2015 Library Impact Fee Funds.**

A. The parties acknowledge that they entered into an interlocal agreements between Lake County, Florida and the City of Fruitland Park regarding use of the 2013, 2014, &

2015 Library Impact Fees for the Fruitland Park Library (“2013, 2014, & 2015 Interlocal Agreement”) and regarding use of the 2017 Library Impact Fees for the Fruitland Park Library (Original 2017 Agreement). Upon the effective date of this Amended Agreement, the 2013, 2014 & 2015 Interlocal Agreement, and the Original 2017 Agreement are hereby terminated.

B. For the year 2015, the County agrees to provide funding in the maximum amount of **Four Hundred Eighteen Thousand, Seven Hundred Twenty-Three Dollars and 00/100 (\$418,723.00)** to the City from the Library Impact Fee Trust Fund, in order to partially fund construction costs for a new library facility, as more particularly described in the City’s application for use of library impact fee funding dated May 22, 2015, and received by Lake County Library Services on June 1, 2015.

C. For the year 2014, the County agrees to permit the City to utilize the funding previously approved in the maximum amount of **Three Hundred Twenty-Two Thousand, Five Hundred Dollars and 00/100 (\$322,500.00)** for construction of a new library facility, as more particularly described in the City’s application for use of library impact fee funding in 2014.

D. For the year 2013, the County agrees to permit the City to utilize the funding approved in the 2013 Agreement in the maximum amount of **Two Hundred Fifty Thousand, Two Hundred Dollars and 00/100 (\$250,200.00)**, as more particularly described in the City’s application for use of library impact fee funding for 2013, for the following:

- (1) Construction of a new library facility, with impact fees devoted to this purpose at a total amount of Two Hundred Forty-Two Thousand Dollars and 00/100 (\$242,000.00); and
- (2) Purchase of seven (7) laptops with associated software and accessories, one (1) ImagePro LCD Projector, one (1) Projection Cart, and one (1) Projection Screen for the Library (hereinafter, “Equipment”), at a total cost of Eight Thousand, Two Hundred Dollars and 00/100 (\$8,200.00).

4. County Obligations. County’s payments to the City shall be made on a reimbursement basis with the submittal of an invoice and proper documentation. Invoices shall be submitted to Lake County Library Services Division Manager at P.O. Box 7800, Tavares, Florida 32778. Payments shall be made in accordance with Part VII, Chapter 218, Florida Statutes, known as the Florida Prompt Payment Act.

5. City Obligations.

A. In designing and constructing the new library facility, the City shall comply with all applicable provisions of the Florida Statutes regarding the bidding of professional services and construction services, including Section 255.0525, Section 255.20, and Section 287.055, Florida Statutes. The County shall have the right but not the obligation to review the competitive bidding/selection process utilized by the City, and shall additionally have the right but not the obligation to review all bids or statements of qualifications received. In the event that the County determines that the City's procurement process is insufficient, the County shall require the City to reject all bids and re-bid the Project. However, if the City refuses to reject the bids and re-bid the Project, then the City may continue with the Project at the City's sole cost and expense and the County shall have the option to terminate this Amended Agreement.

B. The City shall remain a member of the Lake County Library System for a period of ten (10) years following the effective date of this Amended Agreement. In the event the City withdraws from the Lake County Library System within that ten (10) year period, the City shall repay the money granted herein as follows: for each year the City maintains its member status, the amount to be repaid shall be reduced by ten percent (10%). For example, if the City withdraws from the Lake County Library System after one (1) year from the effective date of this Amended Agreement, the City shall repay the County ninety percent (90%) of the funding contribution that has been made to that point; after five (5) years, the City shall repay fifty percent (50%) of the funding contribution, etc.

6. Allowable Uses of Impact Fee Money. The City shall use the impact fee money granted herein for the purposes set forth in Section 22-61, Lake County Code. Further, the City, by executing this Amended Agreement, certifies that the Project qualifies as a capital facility need resulting from new development and is not being constructed or undertaken to remedy an existing deficiency in library services, as such terms are defined within the adopted Lake County Comprehensive Plan, Capital Improvements Element.

7. Indemnification. The City shall, for good and valuable consideration and to the extent permitted by Florida law, protect, defend, indemnify, and hold the County, its officers, commissioners, employees and agents from and against any and all losses, penalties, damages, settlements, costs, charges, professional fees, including a reasonable attorneys' fee or other expenses or liabilities, of every kind and character resulting from any error, omission, or negligent

act of the City, its agents, employees, or representatives in the performance of the obligations under this Amended Agreement. Furthermore, nothing herein shall be construed as a waiver of sovereign immunity on the part of the County.

8. Effective Date, Term and Termination.

A. This Amended Agreement shall become effective upon both parties executing the agreement (“effective date”) and it shall remain in force for four (4) years after the effective date. Either party shall have the right to terminate this Amended Agreement for cause with thirty (30) days written notice to the other; provided, however, that in the event of termination by the County, the City shall be entitled to reimbursement of work relating to the construction of the new library facility or purchase of capital equipment as described herein up to and including the day of termination, as long as such work or purchase qualifies for impact fee money.

B. The parties agree and acknowledge that the project closeout date of construction of a new library facility shall not be entitled to four (4) years in addition to the two (2) provided in the 2013, 2014, & 2015 Interlocal Agreement. By way of this Amended Agreement, the 2013, 2014, & 2015 Interlocal Agreement and the Original 2017 Agreement are terminated. The construction of a new library facility by the City must be completed within four (4) years of the effective date of this Amended Agreement.

C. In the event construction of a new library facility has not been completed by the City within four (4) years after the effective date of this Amended Agreement, this Amended Agreement shall automatically terminate and any funding remaining will be unencumbered and may be made available by the County for any other purposes.

D. Reimbursement requests and required documentation by the City for purchases associated with the funding provided in paragraphs 2.A. and 3.D.(2) above, must be made within two (2) years of the effective date of this Amended Agreement. The parties acknowledge that in accordance with these deadlines, any project funding remaining after this date will be unencumbered and may be made available by the County for any other purposes.

9. Modifications. Unless otherwise specified herein, no modification, amendment, or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by the parties hereto, with the same formality and of equal dignity herewith.

10. Notices.

A. All notices, demands, or other writings required to be given or made or sent in this Amended Agreement, or which may be given or made or sent, by either party to the other, shall be deemed to have been fully given or made or sent when in writing and addressed as follows:

COUNTY
County Manager
P.O. Box 7800
Tavares, Florida 32778

CITY
City Clerk
506 W. Berckman Street
Fruitland Park, Florida 34731

With copy to:
Library Services Division Manager
P.O. Box 7800
Tavares, Florida 32778

Fruitland Park Library Director
205 W. Berckman Street
Fruitland Park, Florida 34731

B. All notices required, or which may be given hereunder, shall be considered properly given if (1) personally delivered, (2) sent by certified United States mail, return receipt requested, or (3) sent by Federal Express or other equivalent overnight letter delivery company.

C. The effective date of such notices shall be the date personally delivered, or if sent by certified mail, the date the notice was signed for, or if sent by overnight letter delivery company, the date the notice was delivered by the overnight letter delivery company.

D. Parties may designate other parties or addresses to which notice shall be sent by notifying, in writing, the other party in a manner designated for the filing of notice hereunder.

11. Incorporation. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein, and the Parties agree that there are no commitments, agreements or understandings concerning the subject matter of this Amended Agreement that are not contained in this document.

12. Severability. If any provision of this Amended Agreement is found by a court of competent jurisdiction to be invalid, it shall be considered deleted here from, and shall not invalidate the remaining provisions.

{Rest of page intentionally left blank}

IN WITNESS WHEREOF, the parties hereto have made and executed this Amended Interlocal Agreement on the respective dates under each signature: Lake County through its Board of County Commissioners, signing by and through its Chairman, and by the City of Fruitland Park through its City Commission, signing by and through its Mayor, its representative duly authorized to execute the same.

COUNTY

ATTEST:

LAKE COUNTY, FLORIDA through its
BOARD OF COUNTY COMMISSIONERS

Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

Timothy I. Sullivan, Chairman

This _____ day of _____, 2018.

Approved as to Form & Legality:

Melanie Marsh
County Attorney

CITY

ATTEST:

CITY OF FRUITLAND PARK FLORIDA

Esther Lewin-Coulson, City Clerk

Chris Cheshire, Mayor

This _____ day of _____, 2018.

Approved as to form and legality:

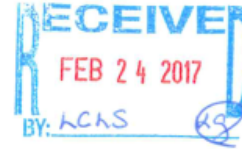
Anita Geraci-Carver, City Attorney

Attachment "A"

Appendix A
Lake County Library Impact Fees – PROJECT APPLICATION

Appendix A

Lake County Library Impact Fees
PROJECT APPLICATION
Application Deadline: March 1



A

1. **APPLICANT INFORMATION**

A. LEGAL NAME OF APPLICANT (Government)

City of Fruitland Park

B. APPLICANT ADDRESS


Street 205 W. Berckman Street PO Box if applicable _____

City Fruitland Park Zip Code 34731

C. APPLICATION REQUIREMENTS (Both 1 and 2 are required)

- 1. County library impact fee is assessed within municipality, or
 ___municipality collects local library impact fee which is equal to or greater than county library impact fee, or
 ___municipality collects local library impact fee which is less than county library impact fee and remits the difference between local and county impact fee to county.
- 2. Municipality has a library which is a member of the Lake County Library System, or
 ___ is a newly created library which has submitted a letter of intent for the municipality's library to become a Member of the LCLS in accordance with LCC-7.

D. APPROVAL TO SUBMIT APPLICATION (By library governing body or City Administrator)

	Esther Coulson City Clerk February 24, 2017
Signature	Name and Title

2. **LIBRARY INFORMATION**

A. NAME OF LIBRARY Fruitland Park Public Library

B. LIBRARY ADDRESS ___ Current Future

Street 604 W. Berckman Street City Fruitland Park Zip 34731

Appendix A
Lake County Library Impact Fees – PROJECT APPLICATION

3. **PROJECT MANAGER** (Library Director)
- A. Name Jo-Ann Glendinning Telephone 352-360-6561
Fax 352-360-6691 E-mail jglendinning@mylakelibrary.org
4. **TYPE OF PROJECT**
- A. CONSTRUCTION
 Design & Engineering New Building Expansion
- B. COLLECTIONS
- C. EQUIPMENT
 Public Access Computers Number
X Other (describe) Public use chairs, tables, computer tables, and shelving for adult area, teen area, and children's area.
5. **THIS PROJECT IS INCLUDED IN:** (Maximum of 5 points) (Mark all that apply)
- Master Facilities Plan for Lake County Library System
 City or County Capital Improvement Plan
 Lake County Library System Long Range Plan of Service
 Lake County Library System Annual Plan of Service
 Other (Describe) _____
6. **COST OF TOTAL PROJECT** (Estimated) \$2.5 million
7. **AMOUNT REQUESTED** (Maximum of 10 points) \$350,000
8. **% OF PROJECT ELIGIBLE FOR IMPACT FEES** 100%
9. **PRIMARY SOURCE OF IMPACT FEES:** (Maximum of 10 points)
- Applicant contributes to countywide library impact fee fund (10 points)
 Applicant collects and retains impact fees locally (-10 points)
10. **PROJECT HISTORY** (Maximum of 5 points)
- A. Is this a new project request:
- Yes
 No Year of 1st Request 2013

Appendix A
Lake County Library Impact Fees – PROJECT APPLICATION

B. Has project previously received funding from library impact fees?

X Yes No

If Yes, was the project request X partially or fully funded?

Year/s 2013-2016 Amount \$ 991,423

11. **PROJECT NARRATIVE** – (No more than 3 pages, Maximum of 30 points)

- a. Briefly describe project (0-5)
- b. Include justification for use of impact fees (0-5)
- c. Establish need for the project (0-5)
- d. Describe how the project will benefit the local community (0-5)
- e. Describe how the project will benefit county-wide library service (0-5)
- f. Provide an itemized cost estimate for equipment requests (0-5)

12. **APPLICANT PRIORITY RANKING** (If requesting more than one project) 1

13. **INITIAL YEAR OF PARTICIPATION** 1983

14. **COMPLETED BY:** Jo-Ann Glendinning **DATE:** 02/24/2017

RETURN THIS FORM TO: DIVISION MANAGER
LAKE COUNTY LIBRARY SYSTEM
2401 Woodlea Road, Tavares, FL 32778

Staff Use Only

Project Rating _____ Project Ranking _____

Recommended Level of Funding _____

Approved Level of Funding _____

Comments _____

Fruitland Park Library Impact Fee Application 2017

11a. *Briefly describe the project:*

A

The City of Fruitland Park is in preparation for its new growth. "The Villages," a premier active adult retirement community based in Sumter and Lake Counties has developed into Fruitland Park. By early 2018, the City of Fruitland Park will have more than doubled its population to approximately 10,000 residents with the implementation of "The Villages of Fruitland Park."

The new projected facility with 12,000 square feet will be better equipped to handle the current community and the new growth.

11b. *Include justification for use of impact fees:*

Lake County Code-63, Library Impact Application and Distribution Process, stated the following: "to provide a source of revenue to fund the construction or improvement of the county library system necessitated by growth as delineated in the capital improvement element of the comprehensive plan."

11c. *Establish need for the project:*

In 1999 when the Fruitland Park Library was being built, the total population was 3,300. At that time, a 7000 square foot library would more than accommodate this small town.

Currently, our population stands at 5,500, a 67% increase, and by early 2018 when the new sub-divisions; "The Village of Pine Ridge" and "The Village of Pine Hills," which make up The Villages of Fruitland Park, are completed; there will be 2100 new homes. The addition will more than double our population. That's an increase of over 300% in our population since the library was built in 1999.

Presently, the Fruitland Park Library conducts all of its children's programming and special event programming in the center of the library due to space restrictions in the current children's area. There is currently no children's furniture in the children's room. The shelving is left over from the Teen Room and is too high for the children to reach. The new projected library will have its own designated children's location. This area will need chairs, tables, and computer tables, sitting cubes/stools and shelving to complete the space.

Fruitland Park Library Impact Fee Application

2017

The same situation occurs within the space of the current library which is designated "Teen Area." The new projected library will have its own Teen Room and furniture such as chairs, tables, lounge chairs and computer tables is needed.

The public sitting areas in the new projected library will need chairs, lounge chairs, tables, and computer tables. The furniture located throughout the library will provide comfortable seating. Some seating will be equipped with convenient tray tables that will swivel to be used as a writing surface or a place to put laptops or hand held devices. The tables will have convenient data ports attached to them for easy charging and plug-in use of equipment.

11d. *Describe how the project will benefit the local community:*

The new proposed building will have an open concept floor plan allowing for improved flow of traffic to better serve our increasing number of patrons. The furniture will provide sitting, lounging and study areas for the public to enjoy.

In addition to the many currently available programs and services we provide to the local community, this new building with chairs, tables, and extra seating, will also allow us to implement, to name a few, the following:

- Computer Classes and Computer Classes for seniors
- Provide a location to gather for Literacy and ESOL tutoring
- Provide a location to gather for afterschool programming and tutoring
- A dedicated room and seating for children's programming
- An area where public assistance/counselors (VA, DCF, SHINE, etc...) can come and help the public with their questions
- Various gathering/sitting areas
- A dedicated room and seating for Teen Programming

11e. *Describe how the project will benefit county-wide library services:*

Currently, the Fruitland Park Library has to limit its involvement in a lot of county programs due to significant space restrictions. The current library simply cannot accommodate the sizable attendance that these programs attract. The new library will have enough room to accommodate large events.

Fruitland Park Library Impact Fee Application 2017

The new projected Fruitland Park Library will be better equipped to accommodate popular Lake County Programs such as; Bookfest, the Summer Reading Program and programs through Lake County's Literacy and Learning Experience Coordinators. The addition of furniture in these program rooms (which total 1,800 square feet) to hold these much requested programs will be an asset to the community and this portion of the county.

Due to space constraints in the current building, we are restricted on acquisitions of materials. The new library will provide a larger Adult Fiction, Non-Fiction, and Large Print areas. There will be enough for 20,000 volumes just in this area. With the new building, we will be able to provide more materials to our community and our Lake County patrons as requested. With the addition of extra shelving, an improved selection of resources and materials will be available to support not only the Municipal Libraries, but we will be able to contribute to our Lake County Branch libraries as well.

Programming in the new projected library will enable us to increase the number of public programs (technology, literacy, and language) to better serve the communities in this part of Lake County, with the addition of the extra seating and tables.

11f. Provide an itemized cost estimate for equipment requests:

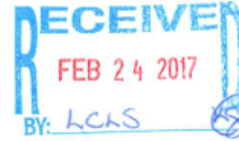
The estimated cost for the new Fruitland Park Library is \$2.5 million.

- Public Use: 14 tables, 51 chairs, 18 computer tables, 18 computer chairs
 - Community Rooms: 24 tables, 96 chairs
 - Teen Room: 1 table, 11 chairs, 4 computer tables, 4 computer chairs
 - Children's Room: 3 tables, 20 chairs, 8 computer tables, 8 computer chairs
 - Shelving
- \$350,000**

A detailed breakdown of cost and items is available upon request.

Attachment “B”

Appendix A
Lake County Library Impact Fees – PROJECT APPLICATION



Appendix A
Lake County Library Impact Fees
PROJECT APPLICATION
Application Deadline: March 1

B

1. APPLICANT INFORMATION

A. LEGAL NAME OF APPLICANT (Government)

City of Fruitland Park

B. APPLICANT ADDRESS


Street 205 W. Berckman Street PO Box if applicable _____

City Fruitland Park Zip Code 34731

C. APPLICATION REQUIREMENTS (Both 1 and 2 are required)

- 1. County library impact fee is assessed within municipality, or
 ___municipality collects local library impact fee which is equal to or greater than
 county library impact fee, or
 ___municipality collects local library impact fee which is less than county library
 impact fee and remits the difference between local and county impact fee to
 county.
- 2. Municipality has a library which is a member of the Lake County Library
 System, or
 ___is a newly created library which has submitted a letter of intent for the
 municipality's library to become a Member of the LCLS in accordance with
 LCC-7.

D. APPROVAL TO SUBMIT APPLICATION (By library governing body or City
Administrator)



 Signature

 Esther Coulson City Clerk
 Name and Title

2. LIBRARY INFORMATION

A. NAME OF LIBRARY Fruitland Park Public Library

B. LIBRARY ADDRESS ___ Current Future

Street 604 W. Berckman Street City Fruitland Park Zip 34731

Appendix A
Lake County Library Impact Fees – PROJECT APPLICATION

3. PROJECT MANAGER (Library Director)

A. Name Jo-Ann Glendinning Telephone 352-360-6561
Fax 352-360-6691 E-mail jglendinning@mylakelibrary.org

4. TYPE OF PROJECT

A. CONSTRUCTION
 Design & Engineering New Building Expansion

B. COLLECTIONS

C. EQUIPMENT
 Public Access Computers Number 16
 Other (describe) _____

5. THIS PROJECT IS INCLUDED IN: (Maximum of 5 points) (Mark all that apply)

Master Facilities Plan for Lake County Library System
 City or County Capital Improvement Plan
 Lake County Library System Long Range Plan of Service
 Lake County Library System Annual Plan of Service
 Other (Describe) _____

6. COST OF TOTAL PROJECT (Estimated) \$2.5 million

7. AMOUNT REQUESTED (Maximum of 10 points) \$16,000

8. % OF PROJECT ELIGIBLE FOR IMPACT FEES 100%

9. PRIMARY SOURCE OF IMPACT FEES: (Maximum of 10 points)

Applicant contributes to countywide library impact fee fund (10 points)
 Applicant collects and retains impact fees locally (-10 points)

10. PROJECT HISTORY (Maximum of 5 points)

A. Is this a new project request:
 Yes
 No Year of 1st Request 2013

Appendix A

Lake County Library Impact Fees – PROJECT APPLICATION

B. Has project previously received funding from library impact fees?

Yes No

If Yes, was the project request partially or fully funded?

Year/s 2013-2016 Amount \$ 991,423

11. **PROJECT NARRATIVE** – (No more than 3 pages, Maximum of 30 points)

- a. Briefly describe project (0-5)
- b. Include justification for use of impact fees (0-5)
- c. Establish need for the project (0-5)
- d. Describe how the project will benefit the local community (0-5)
- e. Describe how the project will benefit county-wide library service (0-5)
- f. Provide an itemized cost estimate for equipment requests (0-5)

12. **APPLICANT PRIORITY RANKING** (If requesting more than one project) 2

13. **INITIAL YEAR OF PARTICIPATION** 1983

14. **COMPLETED BY:** Jo-Ann Glendinning **DATE:** 02/24/2017

RETURN THIS FORM TO: DIVISION MANAGER
 LAKE COUNTY LIBRARY SYSTEM
 2401 Woodlea Road, Tavares, FL 32778

Staff Use Only

Project Rating _____ Project Ranking _____

Recommended Level of Funding _____

Approved Level of Funding _____

Comments _____

Fruitland Park Library Impact Fee Application *2017*

B

11a. *Briefly describe the project:*

The City of Fruitland Park is in preparation for its new growth. "The Villages," a premier active adult retirement community based in Sumter and Lake Counties has developed into Fruitland Park. By early 2018, the City of Fruitland Park will have more than doubled its population to approximately 10,000 residents with the implementation of "The Villages of Fruitland Park."

The new proposed facility with 12,000 square feet will be better equipped to handle the current community and the new growth.

11b. *Include justification for use of impact fees:*

Lake County Code-63, Library Impact Application and Distribution Process, stated the following: "to provide a source of revenue to fund the construction or improvement of the county library system necessitated by growth as delineated in the capital improvement element of the comprehensive plan."

11c. *Establish need for the project:*

In 1999 when the Fruitland Park Library was being built, the total population was 3,300. At that time, a 7000 square foot library would more than accommodate this small town.

At that time, the city of Fruitland Park purchased one computer for the library and through the "Gates Foundation" four computers were provided for the library.

Currently, our population stands at 5,500, a 67% increase, and the library contains 16 public use computers utilized by adults, teens and children all in the same area. Depending on the time of day or even the day of the week, the amount of available computers satisfies the demands of the public. This does not hold true after school hours and when the children are out of school for the summer.

By early 2018 when the new sub-divisions; "The Village of Pine Ridge" and "The Village of Pine Hills," which make up "The Villages of Fruitland Park," are completed there will be 2100 new homes. The addition will more than double our population. That's an increase of over 300% in our population since the library was built in 1999.

Fruitland Park Library Impact Fee Application 2017

11d. *Describe how the project will benefit the local community:*

In addition to the many currently available programs and services we provide to the local community, the addition of the 16 computers will also allow us to implement, to name a few, the following:

- Computer Classes
- Computer Classes dedicated just for seniors
- Provide computers for Literacy and ESOL tutoring
- Provide computers for afterschool programming and tutoring
- A dedicated room for children's computers
- An area where public assistance/counselors (VA, DCF, SHINE, etc...) can come and help the public with their questions
- A dedicated room for Teen computers

The new building will allow not only the facilitation and expansion of existing programs and services, but will allow for establishing new ones as well.

The new proposed building will have an open concept floor plan allowing for improved flow of traffic to better serve our increasing number of patrons. The furniture located throughout the library will provide comfortable seating with convenient tray tables that will swivel, to be used as a writing surface or a place to put laptops or hand held devices.

Fruitland Park Library Impact Fee Application 2017

11e. *Describe how the project will benefit county-wide library services:*

With 1400 homes now occupied between "The Village of Pine Hills" and "The Village of Pine Ridge," we are starting to see an increase of new patrons coming to the library. A lot of these new patrons are using the computers for various activities.

At times, the library computers will all be occupied and visitors/patrons are unable and sometimes unwilling to wait for a computer. They will leave and go to a neighboring library potentially over taxing that library's resources.

With the addition of 16 computers this will alleviate this problem.

11f. *Provide an itemized cost estimate for equipment requests:*

As quoted by the Support Services Manager of the Lake County Library Services, it is estimated that the 16 computers would cost **\$16,000**.

Attachment “C”

Appendix A
Lake County Library Impact Fees – PROJECT APPLICATION



Appendix A
Lake County Library Impact Fees
PROJECT APPLICATION
Application Deadline: March 1

C

1. **APPLICANT INFORMATION**

A. LEGAL NAME OF APPLICANT (Government)

City of Fruitland Park

B. APPLICANT ADDRESS

Street 205 W. Berckman Street PO Box if applicable _____

City Fruitland Park Zip Code 34731

C. APPLICATION REQUIREMENTS (Both 1 and 2 are required)

- 1. County library impact fee is assessed within municipality, or
 ___ municipality collects local library impact fee which is equal to or greater than county library impact fee, or
 ___ municipality collects local library impact fee which is less than county library impact fee and remits the difference between local and county impact fee to county.
- 2. Municipality has a library which is a member of the Lake County Library System, or
 ___ is a newly created library which has submitted a letter of intent for the municipality's library to become a Member of the LCLS in accordance with LCC-7.

D. APPROVAL TO SUBMIT APPLICATION (By library governing body or City Administrator)

	Esther Coulson City Clerk
Signature	Name and Title

2. **LIBRARY INFORMATION**

A. NAME OF LIBRARY Fruitland Park Public Library

B. LIBRARY ADDRESS ___ Current Future

Street 604 W. Berckman Street City Fruitland Park Zip 34731

Appendix A
Lake County Library Impact Fees – PROJECT APPLICATION

3. **PROJECT MANAGER** (Library Director)

A. Name Jo-Ann Glendinning Telephone 352-360-6561
Fax 352-360-6691 E-mail jglendinning@mylakelibrary.org

4. **TYPE OF PROJECT**

A. CONSTRUCTION
 Design & Engineering New Building Expansion
B. COLLECTIONS
C. EQUIPMENT
 Public Access Computers Number
 Other (describe) _____

5. **THIS PROJECT IS INCLUDED IN:** (Maximum of 5 points) (Mark all that apply)

Master Facilities Plan for Lake County Library System
 City or County Capital Improvement Plan
 Lake County Library System Long Range Plan of Service
 Lake County Library System Annual Plan of Service
 Other (Describe) _____

6. **COST OF TOTAL PROJECT** (Estimated) \$2.5 million

7. **AMOUNT REQUESTED** (Maximum of 10 points) \$100,000

8. **% OF PROJECT ELIGIBLE FOR IMPACT FEES** 100%

9. **PRIMARY SOURCE OF IMPACT FEES:** (Maximum of 10 points)

Applicant contributes to countywide library impact fee fund (10 points)
 Applicant collects and retains impact fees locally (-10 points)

10. **PROJECT HISTORY** (Maximum of 5 points)

A. Is this a new project request:
 Yes
 No Year of 1st Request 2013

Appendix A
Lake County Library Impact Fees – PROJECT APPLICATION

B. Has project previously received funding from library impact fees?

X Yes No

If Yes, was the project request X partially or fully funded?

Year/s 2013-2016 Amount \$ 991,423

11. PROJECT NARRATIVE – (No more than 3 pages, Maximum of 30 points)

- a. Briefly describe project (0-5)
- b. Include justification for use of impact fees (0-5)
- c. Establish need for the project (0-5)
- d. Describe how the project will benefit the local community (0-5)
- e. Describe how the project will benefit county-wide library service (0-5)
- f. Provide an itemized cost estimate for equipment requests (0-5)

12. APPLICANT PRIORITY RANKING (If requesting more than one project) 3

13. INITIAL YEAR OF PARTICIPATION 1983

14. COMPLETED BY: **Jo-Ann Glendinning** **DATE:** **02/24/2017**

RETURN THIS FORM TO: DIVISION MANAGER
LAKE COUNTY LIBRARY SYSTEM
2401 Woodlea Road, Tavares, FL 32778

Staff Use Only

Project Rating _____ Project Ranking _____
 Recommended Level of Funding _____
 Approved Level of Funding _____
 Comments _____

Fruitland Park Library Impact Fee Application 2017

C

11a. Briefly describe the project:

The City of Fruitland Park is preparing for its new growth. "The Villages," a premier active adult retirement community based in Sumter and Lake Counties has developed into Fruitland Park. By early 2018, the City of Fruitland Park will have more than doubled its population to approximately 10,000 residents with the implementation of "The Villages of Fruitland Park."

The new proposed facility with 12,000 square feet will be better equipped to handle the current community and the new growth.

11b. Include justification for use of impact fees:

Lake County Code-63, Library Impact Application and Distribution Process, stated the following: "to provide a source of revenue to fund the construction or improvement of the county library system necessitated by growth as delineated in the capital improvement element of the comprehensive plan."

11c. Establish need for the project:

In 1999 when the Fruitland Park Library was being built, the total population was 3,300. At that time, a 7000 square foot library would more than accommodate this small town.

Currently, our population stands at 5,500, a 67% increase, and by early 2018 when the new sub-divisions; "The Village of Pine Ridge" and "The Village of Pine Hills," which make up The Villages of Fruitland Park, are completed; there will be 2100 new homes. The addition will more than double our population. That's an increase of over 300% in our population since the library was built in 1999.

Presently, the Fruitland Park Library conducts all of its children's programming and special event programming in the center of the library due to space restrictions in the community room. For example, on Wednesday mornings at 10:30 a.m. the community knows not to come to the library because of story time. It has become an interruption and interference with regular library business being conducted during this time. This popular program has more than doubled in the last 2 years and it's becoming harder to handle the needs of this program.

Fruitland Park Library Impact Fee Application 2017

Another example would be when we provide AARP Tax Aide here at the library. This popular program has grown to the point where we need to add another two days to the schedule, but cannot due to other programming taking place in the community room.

Also, we receive frequent requests from local, state and government non-profit agencies to utilize our space to conduct outreach, meeting and training to the community.

11d. Describe how the project will benefit the local community.

In addition to the many currently available programs and services, this new building will also allow us to implement, to name a few, the following:

- Computer Classes and Computer Classes for seniors
- Provide a location for Literacy and ESOL tutoring
- Provide a location for afterschool programming and tutoring
- A dedicated room for children's programming
- An area where public assistance/counselors (VA, DCF, SHINE, etc...) can come and help the public with their questions
- Host author book signings
- Various group and club meetings
- Teen Programming

The need is here in this community. Currently, we send the public to other locations for these services. A new building will allow not only the facilitation and expansion of existing programs and services, but will allow for establishing new ones as well.

Due to space constraints in the current building, we are restricted on acquisitions of materials. The new facility will offer 5000 square feet more floor space than the current building. This will provide a larger Adult Fiction, Non-Fiction, and Large Print areas.

The new proposed building will have an open concept floor plan allowing for improved flow of traffic to better serve our increasing number of patrons. Due to a lack of available space and our growing population, this is an ongoing issue in our current building.

Fruitland Park Library Impact Fee Application 2017

11e. *Describe how the project will benefit county-wide library services:*

The new proposed Fruitland Park Library will be able to provide more materials and resources to our community and our Lake County patrons as requested. An improved selection of resources and materials will be available to support not only the Municipal Libraries, but our Lake County Branch Libraries as well.

Programming in the new projected library will enable us to increase the number of public events and classes to better serve the community in this part of Lake County.

Currently, the Fruitland Park Library has to limit its involvement in a lot of county programs due to significant space restrictions. The current library simply cannot accommodate the sizable attendance that these programs attract. The new Fruitland Park Library will have enough room to accommodate large events with a total of 1,800 square feet of meeting space between the three meeting rooms.

11f. *Provide an itemized cost estimate for equipment requests:*

The estimated cost for the new Fruitland Park Library is \$2.5 million.

- Construction and construction to include Interior Public Upgrades.
\$100,000

Attachment “B”



506 W. Berkman Street
Fruitland Park, Florida 34731

JAN 16 2018
Tel. (352) 360-6727
Fax. (352) 360-6686

Thursday, January 04, 2018

Lake County BCC
315 West Main Street
PO Box 7800
Tavares, FL 32778
Attn. Bill Veach, Deputy County Manager

Dear Mr. Veach:

As per our ongoing discussion regarding amending the ILA, specifically relating to expenditure of Library Impact Fees, attached find the revised application requesting the specific changes we spoke of.

As you know from our discussion the purpose of the request is to reprogram the funds awarded to furnish the new library (\$350,000.00) to allow those funds to be used toward construction of the same.

The purpose of this request is a direct consequence of the bids coming in much higher than anticipated which the City believes can be directly attributed to the rise of construction prices as a result of Hurricanes Harvey, Irma and Maria.

It is important to know the City is expending \$500,000.00 of our own funds in addition to a \$500,000.00 grant from the state of Florida in addition to County grant dollars. These expenditures primarily include site work, property acquisition, design and storm water management as well as construction.

The growth the City is experiencing has a direct impact on all the services the City and, I am sure, the County offers. This is clearly evident if you look at the ever increasing numbers of visitors the Library is experiencing year over year.

I am sure the importance of this project is quite evident.

Should you have any questions or require any additional information please do not hesitate to contact me.

I thank you for your assistance in this matter and look forward to hearing from you soon.

Sincerely,

Gary E. LaVeria
City Manager

CC: Jeff Cole, County Manager
Ave Barret, Director of Library Services

Please note: the original has be sent to Ava Barret, Director of Library Service electronically, as well as via USPS.

Appendix A
Lake County Library Impact Fees – PROJECT APPLICATION

Appendix A
Lake County Library Impact Fees
PROJECT APPLICATION
Application Deadline: March 1

REVISED

A

1. APPLICANT INFORMATION

A. LEGAL NAME OF APPLICANT (Government)

City of Fruitland Park

B. APPLICANT ADDRESS

Street 205 W. Berckman Street PO Box if applicable _____

City Fruitland Park Zip Code 34731

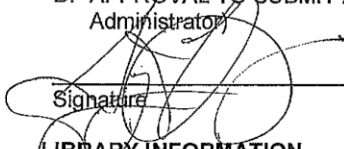
C. APPLICATION REQUIREMENTS (Both 1 and 2 are required)

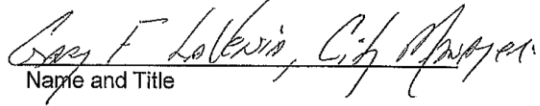
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 municipality collects local library impact fee which is less than county library impact fee and remits the difference between local and county impact fee to county.

2. Municipality has a library which is a member of the Lake County Library System, or

is a newly created library which has submitted a letter of intent for the municipality's library to become a Member of the LCLS in accordance with LCC-7.

D. APPROVAL TO SUBMIT APPLICATION (By library governing body or City Administrator)


Signature


Name and Title

2. LIBRARY INFORMATION

A. NAME OF LIBRARY Fruitland Park Public Library

B. LIBRARY ADDRESS ___ Current Future

Street 604 W. Berckman Street City Fruitland Park Zip 34731

Appendix A
Lake County Library Impact Fees – PROJECT APPLICATION

3. **PROJECT MANAGER** (Library Director)
- A. Name Jo-Ann Glendinning Telephone 352-360-6561
Fax 352-360-6691 E-mail jglendinning@mylakelibrary.org
4. **TYPE OF PROJECT**
- A. CONSTRUCTION
 Design & Engineering New Building Expansion
- B. COLLECTIONS
- C. EQUIPMENT
 Public Access Computers Number
 Other (describe) _____
5. **THIS PROJECT IS INCLUDED IN:** (Maximum of 5 points) (Mark all that apply)
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 City or County Capital Improvement Plan
 Lake County Library System Long Range Plan of Service
 Lake County Library System Annual Plan of Service
 Other (Describe) _____
6. **COST OF TOTAL PROJECT** (Estimated) \$2.5 million
7. **AMOUNT REQUESTED** (Maximum of 10 points) \$350,000
8. **% OF PROJECT ELIGIBLE FOR IMPACT FEES** 100%
9. **PRIMARY SOURCE OF IMPACT FEES:** (Maximum of 10 points)
- Applicant contributes to countywide library impact fee fund (10 points)
 Applicant collects and retains impact fees locally (-10 points)
10. **PROJECT HISTORY** (Maximum of 5 points)
- A. Is this a new project request:
- Yes
 No Year of 1st Request 2013

Appendix A
Lake County Library Impact Fees – PROJECT APPLICATION

B. Has project previously received funding from library impact fees?

Yes No

If Yes, was the project request partially or fully funded?

Year/s 2013-2016 Amount \$ 991,423

11. **PROJECT NARRATIVE** – (No more than 3 pages, Maximum of 30 points)

- a. Briefly describe project (0-5)
- b. Include justification for use of impact fees (0-5)
- c. Establish need for the project (0-5)
- d. Describe how the project will benefit the local community (0-5)
- e. Describe how the project will benefit county-wide library service (0-5)
- f. Provide an itemized cost estimate for equipment requests (0-5)

12. **APPLICANT PRIORITY RANKING** (If requesting more than one project) 1

13. **INITIAL YEAR OF PARTICIPATION** 1983

14. **COMPLETED BY:** Jo-Ann Glendinning **DATE:** 12/21/2017

RETURN THIS FORM TO: DIVISION MANAGER
LAKE COUNTY LIBRARY SYSTEM
2401 Woodlea Road, Tavares, FL 32778

Staff Use Only

Project Rating _____ Project Ranking _____
Recommended Level of Funding _____
Approved Level of Funding _____
Comments _____

Fruitland Park Library Impact Fee Application
2017

REVISED
A

11a. Briefly describe the project:

The City of Fruitland Park is preparing for its new growth. "The Villages," a premier active adult retirement community based in Sumter and Lake Counties has developed into Fruitland Park. By early 2018, the City of Fruitland Park will have more than doubled its population to approximately 10,000 residents with the implementation of "The Villages of Fruitland Park."

The new proposed facility with 12,000 square feet will be better equipped to handle the current community and the new growth.

11b. Include justification for use of impact fees:

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11c. Establish need for the project:

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Currently, our population stands at 5,500, a 67% increase, and by early 2018 when the new sub-divisions; "The Village of Pine Ridge" and "The Village of Pine Hills," which make up The Villages of Fruitland Park, are completed; there will be 2100 new homes. The addition will more than double our population. That's an increase of over 300% in our population since the library was built in 1999.

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Fruitland Park Library Impact Fee Application **2017**

Another example would be when we provide AARP Tax Aide here at the library. This popular program has grown to the point where we need to add another two days to the schedule, but cannot due to other programming taking place in the community room.

Also, we receive frequent requests from local, state and government non-profit agencies to utilize our space to conduct outreach, meeting and training to the community.

11d. Describe how the project will benefit the local community:

In addition to the many currently available programs and services, this new building will also allow us to implement, to name a few, the following:

- Computer Classes and Computer Classes for seniors
- Provide a location for Literacy and ESOL tutoring
- Provide a location for afterschool programming and tutoring
- A dedicated room for children's programming
- An area where public assistance/counselors (VA, DCF, SHINE, etc...) can come and help the public with their questions
- Host author book signings
- Various group and club meetings
- Teen Programming

The need is here in this community. Currently, we send the public to other library locations for these services. A new building will allow not only the facilitation and expansion of existing programs and services, but will allow for establishing new ones as well.

Due to space constraints in the current building, we are restricted on acquisitions of materials. The new facility will offer 5000 square feet more floor space than the current building. This will provide a larger Adult Fiction, Non-Fiction, and Large Print resources area and most of all, Meeting and Programming Rooms.

The new proposed building will have an open concept floor plan allowing for improved flow of traffic to better serve our increasing number of patrons. Due to a lack of available space and our growing population, this is an ongoing issue in our current building.

Fruitland Park Library Impact Fee Application **2017**

11e. *Describe how the project will benefit county-wide library services:*

The new proposed Fruitland Park Library will be able to provide more materials and resources to our community and our Lake County patrons as requested. An improved selection of resources and materials will be available to support not only the Municipal Libraries, but our Lake County Branch Libraries as well.

Programming in the new projected library will enable us to increase the number of public events and classes to better serve the community in this part of Lake County.

Currently, the Fruitland Park Library has to limit its involvement in a lot of county programs due to significant space restrictions. The current library simply cannot accommodate the sizable attendance that these programs attract. The new Fruitland Park Library will have enough room to accommodate large events with a total of 1,800 square feet of meeting space between the three meeting rooms.

11f. *Provide an itemized cost estimate for equipment requests:*

Before Hurricanes Harvey and Irma, the City of Fruitland Park expected that the construction costs would be approximately \$1.5 million for the new library. The construction bids came back higher than expected. The lowest bids came from Signature Construction at \$1,744,000.00 and Mark Cook builders at \$1,731,279.00. Moving the money allotted for furniture to construction would allow the city to select a construction company and begin the building process.

- Construction
\$350,000



**AGENDA ITEM
NUMBER
4b**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Resolution 2018-009 Budget Amendment BT2018-006		
For the Meeting of:	February 8, 2018		
Submitted by:	City Manager/Public Works Director/City Treasurer /City Attorney		
Date Submitted:	January 31, 2018		
Are Funds Required:	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No
Account Number:	See Attached		
Amount Required:	See Attached		
Balance Remaining:	See Attached		
Attachments:	Yes		
Description of Item: Budget Amendment BT2018-06 will increase the budget to roads and streets supplies. The money for this amendment will come from sale of surplus.			
Action to be Taken: Adopt Resolution 2018-009.			
Staff's Recommendation: Approve Budget Amendment BT18-06			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular Consent agenda: _____
Mayor

RESOLUTION 2018-009

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2017/2018 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO TRANSFER FUNDS FROM GENERAL FUND SURPLUS TO THE GENERAL FUND ROAD AND STREETS BUDGET FOR EXPENDITURES IN THE PUBLIC WORKS DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Fiscal Year 2017-2018 budget of the City of Fruitland Park was adopted on September 28, 2017; and

WHEREAS, property declared to be surplus was sold by the City and resulted in the receipt of \$1,017 which has created excess revenues of those estimated in the budget from sale of surplus; and

WHEREAS, it is desired for supplemental appropriations to be approved in that the funds be utilized in the road and streets budget under the public works department thereby increasing the road and streets budget; and

WHEREAS, the City Commission desires to amend the 2017-2018 Fiscal Year budget to transfer \$1,017 to increase the road and street budget.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA:

Section 1. The budget adopted on September 28, 2017; is amended as set forth in Exhibit "A" attached hereto.

Section 2. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED this 8th day of February, 2018, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park

Chris Cheshire, Mayor

Attest:

Esther B. Coulson, City Clerk

Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

CITY OF FRUITLAND PARK

Interfund Budget Amendment: #

BT2018-006

To: CITY MANAGER

Date: 18-Jan-2018

Prepared by: Dale Bogle
Department Head

Approved: [Signature]
City Manager

REVENUES:

Object name & # 01001-36441 Sale of Surplus Amount: 1,017 Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

EXPENDITURES:

Object name & # 01541-30520 Road & Streets Supplies Amount: 1,017 Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Explanation: Sale of Scrap Metal, increase supplie for purchase of safety equipment

Approved by Commission: 2/8/2018
Date

[Signature] Jeannine Racine
City Finance Director

City Clerk

Mayor

Hi Jeannie, I scraped some old metal that was around the shop if you could put the funds to 01541-30520 I will use it for buying some safety equipment. If I need to do this a different way please let me know.

Thanks Dale.

1/4/18

808.43 +

47.7 +

161.1 +

1,017.236 +

INTER-COUNTY RECYCLING, INC.

LEESBURG DIVISION
PO BOX 125
LECANTO, FL 34460-0125
(352) 746-5272 (352) 326-2267

NATURE COAST BANK
CRYSTAL RIVER, FL 34429

63-1567/631



01/09/2018

PAY TO THE
ORDER OF CITY FRUITLAND PARK

\$ 808.43

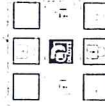
Eight Hundred, Eight & 43/100

DOLLARS

CITY FRUITLAND PARK

VOID AFTER 180 DAY

FRUITLAND PARK, FL 34731



Ann Marie Smith
AUTHORIZED SIGNATURE

MEMO

⑈020983⑈ ⑈063115673⑈ 1038397⑈

INTER-COUNTY RECYCLING, INC. LEESBURG DIVISION

20983

Ticket	Date	Amount Paid
264412	01/09/2018	808.43

Total \$ 808.43

PLEASE APPLY
TO
01541
30500

PAYMENT RECEIPT
Inter-County Recycling
 2308 Montclair Rd.
 Leesburg, FL 34748
 352-326-2267

Customer: **18809**
 CITY FRUITLAND PARK
 CITY FRUITLAND PARK

Receipt #: **0265635**
 Run Date: **01/09/2018**
 Run Time: **09:49**
 Page Num: **1**

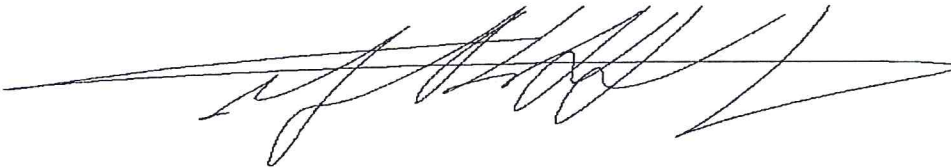
Ticket: **264412**

Date In: **01/09/2018**
 Time In: **09:38**

Date Out: **01/09/2018**
 Time Out: **09:46**

All weights are in pounds, unless otherwise indicated. 'M' indicates manual weight.

COMMODITY	GROSS	TARE	DED WT	NET	PRICE	DED \$	TOTAL \$
Brass Yellow	520 M	0	0	520	1.470 LB	0.00	764.40
FE Tin	3 M	0	0	3	3.500 CW	0.00	0.11
Copper Elec Motors	366 M	0	0	366	0.120 LB	0.00	43.92
Ticket Total:							\$808.43
Paid by CHECK Check # 20983						Total Payment Amount:	\$808.43

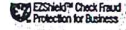


INTER-COUNTY RECYCLING, INC.

LEESBURG DIVISION
PO BOX 125
LECANTO, FL 34460-0125
(352) 746-5272 (352) 326-2267

NATURE COAST BANK
CRYSTAL RIVER, FL 34429

63-1567/631



12/21/2017

PAY TO THE
ORDER OF CITY OF FRUITLAND PARK

\$ 47.70

DOLLARS

Forty-Seven & 70/100

CITY OF FRUITLAND PARK

Leesburg, FL

VOID AFTER 180 DAY

Ann Marie Smith
AUTHORIZED SIGNATURE

MEMO

⑈020947⑈ ⑆06315673⑆ 1038397⑈

INTER-COUNTY RECYCLING, INC. LEESBURG DIVISION

20947

Ticket	Date	Amount Paid
263674	12/21/2017	47.70

Total \$ 47.70

Security features. Details on back.

PAYMENT RECEIPT
Inter-County Recycling
2308 Montclair Rd.
Leesburg, FL 34748
352-326-2267

Customer: **9977**
WAYNE REESE

Receipt #: **0264931**
Run Date: **12/21/2017**
Run Time: **14:21**
Page Num: **1**

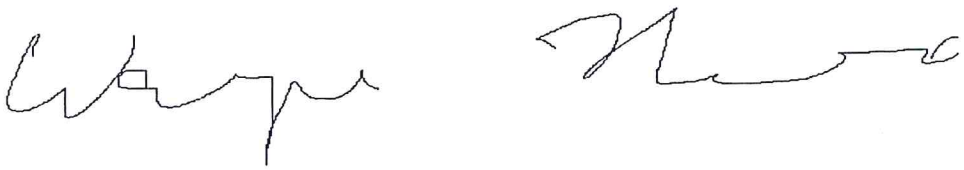
Ticket: **263674**

Date In: **12/21/2017**
Time In: **14:05**

Date Out: **12/21/2017**
Time Out: **14:06**

All weights are in pounds, unless otherwise indicated. 'M' indicates manual weight.

COMMODITY	GROSS	TARE	DED WT	NET	PRICE	DED \$	TOTAL \$
FE Tin	13800	12740 M	0	1060	4.500 CW	0.00	47.70
Ticket Total:							\$47.70
Paid by CHECK		Check # 20947		Total Payment Amount:			\$47.70

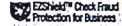


INTER-COUNTY RECYCLING, INC.

LEESBURG DIVISION
PO BOX 125
LECANTO, FL 34460-0125
(352) 746-5272 (352) 326-2267

NATURE COAST BANK
CRYSTAL RIVER, FL 34429

63-1567/631



12/21/2017

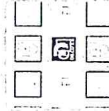
PAY TO THE
ORDER OF CITY OF FRUITLAND PARK

\$ 161.10

One Hundred, Sixty-One & 10/100

DOLLARS

CITY OF FRUITLAND PARK
1200 BAKER STREET
LEESBURG, FL 34748-0000



VOID AFTER 180 DAY

Chris Marie Smith
AUTHORIZED SIGNATURE

Security features. Details on back.

MEMO

⑈020944⑈ ⑆063115673⑆ ⑆038397⑈

INTER-COUNTY RECYCLING, INC. LEESBURG DIVISION

20944

Ticket	Date	Amount Paid
263663	12/21/2017	161.10

Total \$ 161.10

PAYMENT RECEIPT
Inter-County Recycling

2308 Montclair Rd.
Leesburg, FL 34748
352-326-2267

Customer: **33232**
CITY OF FRUITLAND PARK
WAYNE REESE

Receipt #: **0264924**
Run Date: **12/21/2017**
Run Time: **12:01**
Page Num: **1**

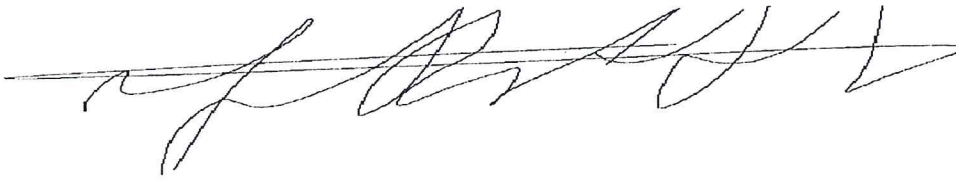
Ticket: **263663**

Date In: **12/21/2017**
Time In: **11:28**

Date Out: **12/21/2017**
Time Out: **11:31**

All weights are in pounds, unless otherwise indicated. 'M' indicates manual weight.

<u>COMMODITY</u>	<u>GROSS</u>	<u>TARE</u>	<u>DED WT</u>	<u>NET</u>	<u>PRICE</u>	<u>DED \$</u>	<u>TOTAL \$</u>
FE Tin	16200	12620	0	3580	4.500 CW	0.00	161.10
Ticket Total:							\$161.10
Paid by CHECK		Check # 20944		Total Payment Amount:			\$161.10





AGENDA ITEM
NUMBER

4c

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Resolution 2018-010 Budget Amendment BT2018-07		
For the Meeting of:	February 8, 2018		
Submitted by:	City Treasurer/City Attorney		
Date Submitted:	January 31, 2018		
Are Funds Required:	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/> No
Account Number:	See Attached		
Amount Required:	See Attached		
Balance Remaining:	See Attached		
Attachments:	Yes		
Description of Item:	Budget Amendment BT2018-08 will increase the budget revenues by \$415,130 from an increase in the Lake County Grant, \$302,775 from restricted funds (stormwater and public safety impact fees), and \$258,880 from CIP (sales surtax) fund totaling a \$976,785 increase in the general fund budget and in library construction.		
Action to be Taken:	Adopt Resolution 2018-010		
Staff's Recommendation:	Approve Budget Amendment BT2018-07		
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular Consent agenda: _____
Mayor

RESOLUTION 2018-010

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2017/2018 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER BY \$976,785 TO TRANSFER FUNDS TO THE LIBRARY CONSTRUCTION BUDGET FROM STORMWATER, PUBLIC SAFETY, CAPITAL IMPROVEMENT FUND (SALES SURTAX) AND ADDITIONAL GRANT MONEY FROM LAKE COUNTY TO THE GENERAL FUND; PROVIDING FOR THE AMENDMENT OF THE FISCAL YEAR 2017-2018 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Fiscal Year 2017-2018 budget of the City of Fruitland Park was adopted on September 28, 2017; and

WHEREAS, additional funds are required and additional funding has been granted from Lake County; and;

WHEREAS, the City Commission desires to amend the 2017-2018 Fiscal Year budget to increase the General Fund by \$976,785.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA:

Section 1. The budget adopted on September 28, 2017; is amended as set forth in Exhibit "A" attached hereto.

Section 2. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED this 8th day of February, 2018, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park
Chris Cheshire, Mayor

Attest:

Esther B. Coulson
City Clerk

Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Approved as to form and legality:

Anita Geraci-Carver
City Attorney

CITY OF FRUITLAND PARK

Interfund Budget Amendment: #

BT2018-007

To: CITY MANAGER

Date: 23-Jan-2018

Prepared by: Finance Department Head

Approved: [Signature] City Manager

REVENUES:

Table with 3 columns: Object name & #, Amount, Inc/Dec. Rows include 01001-38009 Transfer in from Stormwater (179,360), 01001-38006 Transfer in from Public Safety Impact Fees (123,415), 01001-38300 Transfer in from CIP (Sales Surtax) (258,880), 01001-33776 Lake County Library Construction Grant (415,130), and 30001-38001 Transfer in from CIP Fund Balance (258,000).

EXPENDITURES:

Table with 3 columns: Object name & #, Amount, Inc/Dec. Rows include 01571-60663-LIBCO Library Construction - County Grant (415,130), 01571-60663 -LIBST Library Construction - State Grant (561,655), and 30581-90916 Transfer to General Fund (258,000).

Explanation: Change current Library Construction budget to Fund Construction and Onsite Development for FY2018.

Fund Balance for CIP (Sales Surtax) at end of FY2017 = \$ 595,389. Current transfer in from Fund Balance = \$224,193, after BT2018-007 it will be \$482,193 leaving a fund balance of \$113,196 at the end of FY2018.

Approved by Commission: 2/8/2018 Date

City Clerk

[Signature] Jeannine Racine City Finance Director

Mayor

LIBRARY FUNDING

LIBCO	130,122.04
LIBST	85,003.91
TOTAL EXPENSED YTD	215,125.95

LOWEST BID CONSTRUCTION	1,731,279
LOWEST BID SITE DEVELMT	549,450
LOWEST BID TOTALS	2,280,729

EXPENSED & BID TOTALS	2,495,855
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MONEY SOURCES

COUNTY GRANT	-1,000,000
STATE GRANT	-500,000
COUNTY FURNITURE GRANT CONVERTED TO CONSTRUCTION GRANT	-350,000
ADDITIONAL GRANT FROM COUNTY	-65,130
	-1,915,130

STORMWATER (LIB)	-123,254
STORMWATER (CITY HALL)	-56,106
PUBLIC SAFETY IMPACT FEES	-103,415
ADDTL PUBLIC SAFETY IMPACT FEES (COST OF DIRT)	-20,000
CIP - BUDGET LEFT FROM PW BLDG	-258,880
SITWORK FUNDING	-561,655

SHORTFALL

FUND IN FY2019 CAPITAL	19,070
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AGENDA ITEM NUMBER 5b
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AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	City Attorney Report		
For the Meeting of:	February 8, 2018		
Submitted by:	City Attorney		
Date Submitted:	January 31, 2018		
Are Funds Required:	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>
			No
Account Number:			
Amount Required:			
Balance Remaining:			
Attachments:			

Description of Item: Please find below items to report to the City Commission.

James and Rita Homonai v. Foster, Crenshaw and City of Fruitland Park. The final releases to resolve the matter have been sent to the Plaintiffs' attorney, and the settlement checks will be provided to Plaintiffs' attorney upon receipt of the signed releases from Mr. and Mrs. Homonai. Plaintiffs will voluntarily dismiss the cases with prejudice upon the receipt of the settlement funds.

Green v. City of Fruitland Park, Hunnewell, Isom & Isaacs. –Plaintiff has no factual knowledge to support the claims against either former Chief individually. Plaintiff maintains that Officer Hunnewell used excessive force, broke his arm, and made racial slurs. Plaintiff is claiming lost wages and medical expenses in addition to pain and suffering, emotional damages, and punitive damages. Plaintiff's counsel recently contacted Co-Defendant's attorney with a demand to settle all claims against all Defendants. Ms. Brionez is attempting to secure a voluntary dismissal of all claims in light of information learned that is not supportive of Green's claims. Ms. Brionez has contacted the Plaintiff's attorney again to inform him that she will be pursuing any and all methods available to recover attorneys' fees and costs on behalf of the City and the former Chiefs should the pending lawsuit not be dismissed voluntarily. To date there has been no response or further activity by Plaintiff or his counsel.

Notice of Claim – James Hartson: No developments to report.

Notice of Claim – Larry Odum: No developments to report.

Forfeiture of U.S. Currency in the amount of \$10,436.00 re: AARON MONROE LIVELY On January 25, 2018 at 7:15 p.m., Aaron Monroe Lively was arrested at The Tank, 3343 US Hwy. 27/441, Fruitland Park, Lake County, Florida, for keeping a place of gambling or gaming and possession of slot machines or devises. At the time of his arrest he was in possession of \$10,436.00. The police department is seeking forfeiture of the funds under the civil forfeiture statute. There are strict statutory deadlines in

pursuing a civil forfeiture. Therefore, I have filed an ex-parte application for seizure probable cause determination and affidavit with the Clerk of Court which is the first step in the process and must be filed within 10 business days of the date of seizure. The City Manager authorized expenditure of funds to pursue the forfeiture which are being paid from the police department's budget. If the Commission objects to the filing of the forfeiture action, direction can be provided at the Council meeting on February 8 and I can dismiss the action.

Action to be Taken: Authorize the City Attorney to continue with the Forfeiture action.

Staff's Recommendation:

Additional Comments:

Reviewed by: _____

Authorized to be placed on the Regular Consent agenda: _____
Mayor



**AGENDA ITEM
NUMBER
6**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Public Comments			
For the Meeting of:	February 8, 2018			
Submitted by:	City Clerk			
Date Submitted:	January 31, 2018			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Yes			
Description of Item:				
<p>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.</p> <p>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.</p>				
Action to be Taken: None.				
Staff's Recommendation:				
Additional Comments:				

Reviewed by: _____
City Manager

Authorized to be placed on the agenda: _____
Mayor¹

RESOLUTION 2013 -023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A PUBLIC PARTICIPATION POLICY WITH REGARD TO MEETINGS OF CITY BOARDS AND COMMISSIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission wishes to adopt a public participation policy for meetings of the City's boards and commissions; and

WHEREAS, the City Commission accordingly desires to pass this Resolution 2013-023 to do so.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AS FOLLOWS:

Section 1. The following Public Participation Policy shall apply to meetings of City boards or commissions as provided herein.

Sec. 1. Citizen's Rights

(a) Definition. For the purposes of this section, "board or commission" means a board or commission of the City of Fruitland Park.

(b) Right to be Heard: Members of the public shall be given a reasonable opportunity to be heard on a proposition before a City board or commission except as provided for below. Public input shall be limited to three (3) minutes. This right does not apply to:

1. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;
2. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
3. A meeting that is exempt from §286.011; or
4. A meeting during which the Commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

Sec. 2. Suspension and Amendment of these Rules

(a) Suspension of these Rules: Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of the Commission.

(b) Amendment of these Rules: These rules may be amended or new rules adopted by resolution.

- (c) Effect of Variance from Rules: The failure to follow this Public Participation Policy shall not be grounds for invalidating any otherwise lawful act of the City's boards or commissions.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Resolution.

Section 3. This Resolution shall become effective immediately upon passage.

RESOLVED this 26 day of September, 2013, by the City Commission of the City of Fruitland Park, Florida.



Christopher J. Bell, Mayor

ATTEST:


MARIE AZZOLINO, Acting City Clerk

Passed First Reading 9/26/2013

Passed Second Reading N/A

Approved as to form:


SCOTT A. GERKEN, City Attorney