



**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

May 24, 2018 (Revised 1:30 p.m.)

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

6:00 p.m.

- 1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE** (revised)
Invocation – Steve Wilson, Leesburg Church of the Nazarene

Pledge of Allegiance – ~~Michael Fewless, Police Chief~~ Captain Erick Luce

- 2. ROLL CALL**

- 3. LOCAL PLANNING AGENCY**

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

- 4. 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)
March 8, 2018 regular meeting.

- 5. REGULAR AGENDA**

- (a) Resolution 2018-027 - Northwest Lake Community Park Soccer Field Joint Development ILA - Second Amendment** (city manager/city attorney) (revised)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA, AND THE CITY OF FRUITLAND PARK REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK; PROVIDING FOR AN EFFECTIVE DATE.

- (b) Resolution 2018-029 - Police Department Budget Expenditures - FY 2017-18 Budget Amendment** (city treasurer)

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 RESERVE TO THE GENERAL FUND POLICE BUDGET FOR EXPENDITURES IN THE POLICE BUDGET FOR AN ADDITIONAL POLICE OFFICER; AND PROVIDING FOR AN EFFECTIVE DATE.

- (c) **Resolution 2018-015 Title to Real Property – Lake County School Board** (city manager/city attorney/parks and recreation director) (revised)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ACCEPTING TITLE TO REAL PROPERTY BEING CONVEYED FROM THE SCHOOL BOARD OF LAKE COUNTY; PROVIDING FOR AN EFFECTIVE DATE.

PUBLIC HEARING

- (d) **First Reading - Resolution 2018-018 Closing and Vacating 50' Platted ROW – Hurst Street** (city manager/community development director) (revised)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; CLOSING AND VACATING A 50' PLATTED RIGHT OF WAY KNOWN AS HURST STREET, THE NORTH RIGHT OF WAY LINE ABUTTING THE SOUTH LINE OF LOTS 2, 3 AND 4, BLOCK 43, AND THE SOUTH RIGHT OF WAY LINE ABUTTING THE NORTH LINE OF LOTS 5, 6, AND 7, BLOCK 43, AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY; PROVIDING FOR DIRECTION TO THE CITY CLERK TO INCLUDE RECORDATION; PROVIDING FOR AN EFFECTIVE DATE.
- (e) **Resolution 2018-031 Lake County Addressing City Limits (Numbers Assigned to Structures)** (city attorney/city manager) (revised)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA, AND THE CITY OF FRUITLAND PARK FOR LAKE COUNTY ADDRESSING; PROVIDING FOR AN EFFECTIVE DATE.
- (f) **Second Reading and Public Hearing – Ordinance 2018-005 Golf Carts** (city attorney) (revised)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73 OF THE CODE OF ORDINANCES RELATING TO THE OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES WITHIN THE CITY OF FRUITLAND PARK; PROVIDING FOR

CODIFICATION, SEVERABILITY AND CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on April 26, 2018 and continued from May 10, 2018.)

END OF PUBLIC HEARING

6. OFFICERS' REPORTS

- (a) City Manager - FRDAP**
- (b) City Attorney (revised)**
 - i. Notice of Claim – James Hartson**
 - ii. Notice of Claim – Larry Odum**
 - iii. Traffic Control – County Road**
 - iv. Storm Debris ILA – Lake County**
 - v. Countywide Public Safety Radios**

7. 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.

8. COMMISSIONERS' COMMENTS

- (a) Commissioner Ranize**
- (b) Commissioner Lewis**
- (c) Commissioner Bell**
- (d) Vice Mayor Gunter, Jr.**

9. MAYOR'S COMMENTS

10. ADJOURNMENT

DATES TO REMEMBER (Revised)

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

May 28, 2018, Memorial Day – City Offices Closed

May 24, 2018 Regular Agenda

June 5, 2018, Lake EMS Board Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 2:30 p.m.

June 8, 2018, LCLC Lake County Property Appraiser's Office, *Preliminary Tax Roll 2017*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.

June 8, 2018, Movie on the Lawn *A Wrinkle in Time - Be a Warrior*, City Hall, City Hall Lawn at 7:00 p.m.

~~June 13, 2018 Chamber Alliance of Lake County, *Lake Legislative Mixer*, Leesburg Center for the Arts, 429 West Magnolia Street, Leesburg, Florida 34748 at 5:00 p.m.~~

June 14, 2018, City Commission Regular at 6:00 p.m.

June 28, 2018, City Commission Regular at 6:00 p.m.

July 4, 2018, Independence Day – City Offices Closed

July 10, 2018, City Commission Budget Workshop at 6:00 p.m.

July 11, 2018, City Commission Budget Workshop at 6:00 p.m.

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

July 13, 2018, LCLC 2018 Legislative Session Update – Lake Legislative Delegation, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.

July 13, 2018, Movie on the Lawn, City Hall Lawn TBD

July 25, 2018, City Commission Special at 6:00 p.m.

July 26, 2018, City Commission Regular at 6:00 p.m. – CANCELLED

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**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Local Planning Agency Meeting		
For the Meeting of:	May 24, 2018		
Submitted by:	City Manager/Community Development Director/City Attorney		
Date Submitted:	May 10, 2018		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	LPA Agenda		
Description of Item:			
Action to be Taken: As soon as practical, recess to LPA.			
Staff's Recommendation:			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor



**AGENDA ITEM
NUMBER
4**

CONSENT AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Draft Minutes		
For the Meeting of:	May 10, 2018		
Submitted by:	City Clerk		
Date Submitted:	May 21, 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 March 8, 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
March 8, 2018**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, March 8, 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 Attorney Anita Geraci-Carver; City Treasurer; Jeannine Racine; Police Chief Michael A. Fewless and Captain Erick Luce, Police Department; Interim Fire Chief Don Gilpin and Deputy Fire Chief, Tim Yoder, Fire Department; Parks and Recreation Director Michelle Yoder; Public Works Department Director Dale Bogle; Interim Community Development Director 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., Pastor Reverend Deborah L. “Debbie” Allen, Community United Methodist 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. COMMUNITY REDEVELOPMENT AGENCY

By unanimous consent, the city commission recessed its meeting at 6:05 p.m. to the Community Redevelopment Agency meeting and reconvened at 6:06 p.m.

4. REGULAR AGENDA

(a) Northwest Lake Community - Cales Park Multipurpose Soccer Field

The city commission considered the following quotes at the soccer field at Northwest Lake Community - Cales Memorial Park Complex along Dixie Avenue and Shiloh Street:

i. Fence Quotes

Installation of black chain link fence quotes from Mossy Oak Fence, Mid Florida Fence and Gate Inc., and Fence-It

Later in the meeting, Mr. La Venia referred to this day’s email from Ms. Yoder regarding the soccer field fence quotes, copies of which are filed with the supplemental papers to the minutes of this meeting.

Mr. La Venia reviewed the following bids:

- Mid Florida Fence and Gate Inc. for \$13,964, the lowest bid;

- Mossy Oak Fence's proposal for \$17,800, and
- Fence-It's proposal for \$17, 180

After discussion, and **on motion of Commissioner Bell, seconded by Commissioner Ranize and unanimously carried, the city commission approved the city manager's recommendation of approval to award the lowest responsive and responsible bid to Mid Florida Fence and Gate Inc. for an estimated amount of \$13,964 to install four feet tall and six feet tall black commercial grade chain-link fence at Northwest Lake Community – Cales Park Multipurpose Soccer Field along Shiloh Street and Dixie Avenue.**

ii. Fertilization Quotes

Fertilization of soccer field grass quotes from Heron Home and Outdoor, Deans Services, and Trugreen Commercial

Earlier in the meeting, Mr. La Venia recommended that the city commission withdraw its consideration of the fertilization quotes and postpone same.

Commissioner Lewis referred to the city commission's actions at its October 26, 2017 regular meeting to proceed with the sod installation of both fields at the Northwest Lake Community – Cales Park Multipurpose Soccer Field and pointed out his observations of the current condition of the grass.

In response, Mr. La Venia gave a status report on the current contract with Trugreen; relayed the county's plan to mow the field for the first time, at no cost, and referred to the email he received earlier this day in that regard and the consideration given in exploring the piggyback of the county's contract to which Mayor Cheshire voiced his agreement with Commissioner Lewis' comments that the city ought to proceed.

After discussion and by **unanimous consent, the city commission accepted the city manager's recommendation to postpone consideration of the fertilization quotes guidance for Northwest Lake Community – Cales Park Multipurpose Soccer Field and authorized the city manager to proceed on exploring the options of purchasing the mower.**

iii. Grass Quotes

MiCo Customs Inc., \$9,781.20; North Lake Sod LLC, \$10,086.56, and Cottom's A-1 Sod & Total Lawn Care, \$11,408

Mr. La Venia reviewed the following grass quotes for Northwest Lake Community – Cales Park Multipurpose Soccer Field:

A motion was made by Commissioner Bell and seconded by Commissioner Lewis that the city commission approve the city manager's recommendation of approval to award the quote for the soccer field at Northwest Lake Community - Cales Park Multipurpose Complex to the most responsible bidder MiCo Customs Inc.

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

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

The Mayor declared the motion carried on a four-to-one vote with Commissioner Ranize abstaining due to disclosing a conflict of interest with his son working for one of the bidders. (A Memorandum of Voting Conflict of Interest 18B is filed with the minutes of this meeting.)

Mr. La Venia explained that another bid will be presented under his report later in this evening's meeting.

(b) Shiloh Street and Cutoff Road Proposed Improvements Discussion

Mr. La Venia referred to Lake County's recent proposal on its planned proposed improvements and transfer of either or both Shiloh Street and Cutoff Road (Lake County roadways) at its expense; if the city was willing to take ownership of same.

Mr. Bogle referred to the city commission's discussions at its February 22, 2018 regular meeting on the subject issue; county staff's recent visitation of same and the current condition of the roadways. He distributed the core sample – a concrete clay mix – and outlined the problems and the county's planned improvements for Cutoff Road as a result of complaints received and addressed his satisfaction with Shiloh Street.

After Commissioner Bell referred to his previous request for adequate right-of-way (ROW) for a sidewalk on the west side of Cutoff Road, Mr. Bogle responded on the possibility of negotiating same; however, he recognized the lack of traffic studies and the county's budget if improvements are not implemented immediately.

At Mr. La Venia's request, Mr. Greg Beliveau, LPG Urban Planning Inc., recognized, in reviewing the ROW, the requirements for the heavily travelled roadway and sidewalk to co-exist; the residents' preferences, and the responsibility of who would be bearing the cost. He acknowledged the sources of funding and grant process before the Lake-Sumter Metropolitan Planning Organization Governing Board and the School Board of Lake County.

After Commissioner Ranize suggested placing Cut-Off Road proposed roadway improvements on a five-year plan for a study, Commissioner Lewis shared similar reservations on the deterioration of Poinsettia Avenue and requested that Cut-Off Road be postponed until the CR 466A roadway improvements are complete.

Vice Mayor Gunter, in concurrence with Commissioner Lewis' statements, gave reasons why he is no longer in favor as was at last meeting unless the county plans to mill Cut-Off Road to prevent it from deteriorating. He questioned whether the county would accept only Shiloh Street.

Following some discussion, Mr. Beliveau recognized the lack of specifications required by the county for Cut-Off Road which would cause it to deteriorate in the future to which Mr. La Venia indicated ought to be negotiated with the county.

By unanimous consent, the city commission authorized staff to accept Lake County's proposal on its planned proposed improvements and transfer of Shiloh Street to the city and postpone said plans for Cut-Off Road subject to entering into negotiations to address the problems as previously cited.

(c) **Resolution 2018-014 – Veterans Park Light Connection – The Villages Fire Assessment - FY 2017-18 Budget Amendment BT2018-11**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-014, the substance of which is as follows:

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 INCREASE OR DECREASE BUDGETED ITEMS PROVIDING FOR THE AMENDMENT OF THE FISCAL YEAR 2017-2018 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

After Ms. Racine reviewed the purpose of the resolution, **a motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission adopt Resolution 2018-014 as previously cited.**

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

(d) **January 2018 Financial Report**

Ms. Racine reviewed the January 2018 financial report.

On motion of Commissioner Lewis, seconded by Commissioner Bell and unanimously carried, the city commission accepted the January 2018 financial report as submitted.

By unanimous consent, Mayor Cheshire opened the public hearing at this evening's meeting.

QUASI-JUDICIAL PUBLIC HEARING

- (e) **Second Reading and Quasi-Judicial Public Hearing – Ordinance 2018-002 – Rezoning and Development Agreement (First Baptist Church of Leesburg Inc.)**

It now being the time advertised to hold a quasi-judicial public hearing to consider the enactment of proposed Ordinance 2018-002, Ms. Geraci-Carver read into the record the title, the substance of which is as follows:

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. (Continued from January 25, 2018 regular meeting. The second reading will be held on March 8, 2018)

Mayor Cheshire disclosed ex-parte communications pointing out the March 7, 2018 email he received from Mr. Gary Beckmann, Villages of Fruitland Park (The Villages Pines) resident, regarding his request for the landscape buffer for the western border to be changed prior to this evening's meeting to which Mayor

Cheshire indicated that he forwarded same to Mr. La Venia who contacted Mr. Beliveau who will be addressing the matter later in this evening's meeting. (A copy of the email was filed with the supplemental papers to the minutes of this meeting.)

Commissioner Lewis disclosed the telephone call he received earlier this day from Mr. "Randy" Randall Harrison, Villages of Fruitland Park resident, regarding the City of Fruitland Park residents' signatures on the February 2018 petition he submitted at the February 22, 2018 Local Planning Agency meeting.

Later in the meeting, Commissioner Lewis disclosed the nature of the telephone conversation he had with Mr. Harrison also included the subject master plan.

Ms. Geraci-Carver swore-in Mr. Beliveau who intended to testify at this evening's quasi-judicial public hearing.

At Mayor Cheshire's request, Mr. Beliveau outlined the following major changes to the proposed master development agreement since the February 22, 2018 first reading:

- Page 8, Section 18., Landscaping/Buffers
With reference to Mr. Beckmann's request, the addition to language reads: . . . *a twenty-five-foot (25') buffer along the western property boundaries . . .* as well as the narrative match
- Pages 3 and 4, Subsections 5.i. and j., Residential Building Standards
The language revised to read: . . . *multi-story buildings may be exceeded . . .* and the addition of language to read: *There shall be a maximum of six (6) multi-story buildings greater than 35 feet (a/k/a three stories) in building height. . .*

Page 4, Subsection 5.j., Residential Building Standards

The negotiated new setback language includes the removal of the first sentence and the second sentence amended to read: *Any multi-story buildings greater than 35' (a/k/a three stories) shall maintain four hundred-foot (400') setback from the adjacent development known as "Brookstone Subdivision"*

At this time, Mayor Cheshire called for interested parties to be heard.

In response to Mr. Beckmann's inquiry, Mr. Beliveau identified the located language change which was updated prior to this evening's meeting.

Discussions ensued, and Commissioner Lewis clarified Mr. Harrison's request by identifying the location of the potential development of the three-story buildings on the Westminster Pine Ridge PUD Site Plan and/or Preliminary Subdivision Plan Development (Rezoning) map.

By unanimous consent, Mayor Cheshire closed the public hearing.

A motion was made by Commissioner Lewis and seconded by Commissioner Bell that the city commission enact 2018-002 as previously cited to become effective as provided by law.

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

At this time, the meeting recessed at 6:48 p.m. and reconvened at 7:00 p.m.

END OF QUASI-JUDICIAL PUBLIC HEARING

5. OFFICERS' REPORTS

(a) City Manager

i. Air Conditioning Quotes - Police Department

Mr. La Venia described the problems with the current air conditioning and referred to the following quotes; copies of which are filed with the supplemental papers to the minutes of this meeting:

- Sumter Air & Heat Inc. for \$6,200,
- M & S Air Conditioning and Appliance Service of Central Florida LLC for an estimated amount of \$6,949.28, and
- Munn's Sales & Services Inc's proposal for \$6,400.

Mr. La Venia acknowledged the previous budget totaling \$25,000 earmarked to replace more than one unit and addressed the appropriation of the respective funds in that regard. He recommended awarding the air conditioning work to Sumter Air, recognizing the current work conducted for the city.

Mr. La Venia agreed with Vice Mayor Gunter's inquiry on the warranty where he addressed the need for same to be submitted in writing; otherwise the next lowest bidder would be awarded with the air conditioning unit contract.

A motion was made by Vice Mayor Gunter and seconded by Commissioner Bell that the city commission approve the city manager's recommendations to award the air conditioning quote to the lowest bidder, Sumter Air & Heat Inc. for \$6,200 with the stipulation that the warranty is received in writing; otherwise, the award would be made to the next lowest bidder.

Commissioner Lewis disclosed a conflict of interest he has with one of the bidders which involves a client that he represents.

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

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

The Mayor declared the motion carried on a four-to-one vote with Commissioner Lewis abstaining. (A Memorandum of Voting Conflict of Interest 18B is filed with the minutes of this meeting.)

(b) City Attorney

i. Notice of Claims

Ms. Geraci-Carver announced that there are no updated reports on notice of claims and confirmed that all litigations have been solved.

ii. Feral Cats

Ms. Geraci-Carver gave an example of local governmental entities with animal control officers that have implemented trap-neuter-release programs which involves the trapping, sterilizing, and medically treating of free-roaming animals. She referred to the City of Mount Dora's animal control services involvement with Love. Enrichment. Adoption. Shelter. Health. (L.E.A.S.H.) Inc., a not-for-profit organization established in 2015 who work in conjunction with Lake County's Animal Shelter.

Ms. Geraci-Carver pointed out mixed reviews received from studies conducted and annual expenditures involved resulting in the successful reduction of the number of stray cats in neighborhoods and alternatively the increased number of cat colonies. She referred to the findings of the National Audubon Society; pointed out the review of Feral and Free-Ranging Cats Policy adopted by the Florida Fish and Wildlife Conservation Commission who disagrees, and mentioned her inability to find a solution to the city's problem.

After lengthy discussions and in response to Mayor Cheshire's recollection of citizens' previous concerns before the city commission at its January 11, 2018 regular meeting regarding the overpopulation of cats and following further deliberation, Ms. Geraci-Carver questioned the city working jointly with L.E.A.S.H. Inc.

Following further discussion and after Vice Mayor Gunter pointed out Animal Control Services Ordinance 2005-030, Ms. Geraci-Carver identified same as a resource of contacting local veterinarians, and

suggested contacting L.E.A.S.H. Inc. and later described its services together with city staffing in that regard.

Subsequent to extensive discussions, Mayor Cheshire suggested referring individuals to contact the county's Animal Control Services to which Commissioner Ranize believed the county ought to eventually deal with.

After discussion, Mr. Mike Sweeney, City of Fruitland Park resident, pointed out Marion County's promoting adoptions in partnership with PetSmart™ to which Mayor Cheshire suggested contacting them.

Upon Commissioner Ranize' suggestion and **by unanimous consent, the city commission agreed that concerned individuals be directed to report the overpopulation of feral cats to Lake County Animal Control.**

6. PUBLIC COMMENTS

No one from the public came before the commission at this time.

7. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

i. New Fruitland Park Library Ground-Breaking Ceremony

Commissioner Ranize expressed his appreciation to Fruitland Park Library Director JoAnn Glendinning for her performance at the Fruitland Park Library's Ground-Breaking Ceremony held earlier this day.

iii. First Baptist Church of Leesburg Inc.

Commissioner Ranize suggested that the city commission be provided in advance for review the site plan and feasibility study (similar to First Baptist Church's application).

Mr. La Venia explained the plan to hold a March 15, 2018 workshop meeting to address the land development regulations (LDRs) and the requirement for a conceptual plan. He recalled the city commission's discussions at its January 25, 2018 Local Planning Agency meeting on the need to conduct a marketing study to which Mr. Beliveau interjected could be incorporated as probable requirements in the LDRs and certain projects as part of the PUD submittals before the city commission.

By unanimous consent and upon Mayor Cheshire's suggestion, the city commission requested that LPG Urban Planning Inc's Executive Director, provide information to the city commission on other local governmental agencies' marketing plans.

iv. "Castle"

Commissioner Ranize thanked Mayor Cheshire for his recent comments reflected in the March 5, 2018 Orlando Sentinel newspaper *Fruitland Park 'Castle' Faces Possible Demolition as Neighbor Fights to Preserve History* where he stated that the city does not want to see it go and he is not in favor of the city purchasing same; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Commissioner Ranize recognized that the building in question has some history; explained that the current owner, Mr. Dusan Jevtich -- grandson of Ivan "Honest John" Yeftich, is 81 years old, and indicated that no one cared about said structure until its condition deteriorated where someone as a result is likely to be hurt.

In wishing that The Casino (former community building) was saved, Commissioner Ranize recognized the city residents living with deplorable conditions around the city; acknowledged and expressed satisfaction on the city making improvements, and believed that an interested person wants to save the property, purchase it from Mr. Yeftich, and go through the process.

v. Grease Traps Regulation

Responding to Commissioner Ranize' inquiry on the status of the grease traps regulation, Mr. Bogle reported that staff has been working on implementing a program during the course of the week.

vi. Stormwater Runoff – Cutoff Road (Urick Street to Mirror Lake Drive)

After Commissioner Ranize referred to the city commission's previous discussions at the January 25, 2018 regular meeting regarding the stormwater runoff at Cutoff Road (from Urick Street to Mirror Lake Drive), Mr. La Venia pointed out the meetings staff had with Mr. Beliveau and the developer involved with Phase One of the Mirror Lake Village Stormwater project (also known as Fruitland Estates) who is required to make an amendment to the Planned Unit Development (PUD) where he desires to increase the amount of impervious surface that he can place on a lot.

Mr. La Venia addressed the runoff problem which he discussed with Mr. Duane K. Booth, Booth, Ern, Straughan & Hiott Inc. (BESH) engineers retained by the city; reported that staff plans to reach out further to Ms. Sandy Joiner, SJRWMD, (engineers who initially worked on the stormwater issue and attempted to rectify the drainage system installation), and described the runoff functions in detail.

Mr. Beliveau referred to an email he received earlier this day regarding a draft letter from the developer outlining the possible solution to the issues he believes involve Phases One and Two and expressed preference to reserve commenting any further and providing a response on same until the

proposal is reviewed with Ms. Geraci-Carver which he plans to do with her on March 9, 2018.

Following much discussion, Commissioner Ranize recalled the city commission's previous discussions on the subject matter; recommended that no further permits be issued to the developer until the problems are resolved.

In response to Mayor Cheshire's inquiry, Ms. Geraci-Carver relayed her plan to review the subject matter and communicate with Mr. Beliveau on the issue of the maximum building coverage ratio increase from 30 percent. She agreed that a permit cannot be issued if the proper PUD requirements, which includes stormwater, are unmet and addressed the need to review withholding permits until the issues are rectified.

After Commissioner Ranize addressed his concerns on the manner in which the retention pond drains and the consequences resulting in flooding, Mr. La Venia confirmed same as one issue and described how the water would subsequently deteriorate the roadway on Mirror Lake Drive during wet season.

Mr. Beliveau questioned the responsible party to make roadway improvements on Mirror Lake Drive PUD and the need for the PUD amendment to include a method to cease.

Vice Mayor Gunter addressed his presence at the meeting held among staff, Mr. Beliveau, and the developer and noted how he is attempting to increase the size.

Ms. Geraci-Carver explained, in response to a question posed by Vice Mayor Gunter, that without a proper stormwater management system, the city commission ought to be able to deny the applicant's request to process permits on the lots; however, she addressed her desire to review the matter further.

Responding to several inquiries posed by Commissioner Bell, Mr. La Venia pointed out the telephone call to St. John's River Water Management District (SJRWMD) who expressed preference to wait until the next wet season before conducting an inspection. He recognized BESH's attempts to reach them and staff's request for them to rectify same.

After discussion, Messrs. La Venia and Beliveau agreed with Ms. Geraci-Carver's statements that the system in question was to have mirrored the engineer's plan; pointed out BESH's previous report identifying issues which were not constructed in accordance to the plan. Mr. Beliveau added

that it was constructed according to certain assumptions on the manner in which the PUD developed.

Mr. La Venia relayed the SJRWMD's indication for the developer to cease and desist building until such time the requirements set forth in the PUD are met; the necessary corrections to the nonfunctioning stormwater management system are made. She suggested the best method which would have a greater impact is for Mr. Booth to contact SJRWMD and hold such conversation.

By unanimous consent and upon Mayor Cheshire's suggestion, the city commission agreed with Commissioner Ranize request that staff make arrangements that no further building permits for the Mirror Lake Village Stormwater project be issued to the developer until the problems, previously cited, are resolved.

Ms. Geraci-Carver voiced her concurrence with Commissioner Bell's statements whereby the city would have a legal standing; recognized that the city would not permit the developer to continue building if the street was caving in, as it is a quality of life safety issue whereby she expressed her intent to review the matter before opining that the city has jurisdiction to not issue permits.

(b) Commissioner Lewis

- (i) Stormwater Runoff – Cutoff Road (Urlick Street to Mirror Lake Drive)**
Commissioner Lewis recognized the slow rate in which the stormwater percolates down in the pond.

In recognizing Commissioner Ranize' previous description regarding the stormwater pipes from the big retention pond to the overflow, Mr. La Venia concurred with Commissioner Lewis' statements on the need to restrict and force same to remain in the bigger pond, and noted the ability for the city commission to prevent any further action which would stop the destruction of the city's roadway which he believes can be answered by Mr. Booth.

Mr. Beliveau recognized the changes in the Mirror Lake Village ownership; believed the current developer, the city is working with, is expeditiously taking the current phase under contract. He felt that Fruitland Estates -- the original owner -- dissolved, the second owner took over, and currently the city is working with the third group.

In response, Mr. La Venia addressed the importance for the issues to be resolved before the homes are sold.

After Commissioner Lewis voiced his opinion that municipalities ought to have the ability to force the developer to rectify the infrastructure issue before proceeding, Ms. Geraci-Carver opined that cities can hold the developer to such standard.

(ii) New Fruitland Park Library Ground-Breaking Ceremony

Commissioner Lewis voiced his concurrence with Commissioner Ranize's sentiments regarding the new Fruitland Park Library Ground-Breaking Ceremony.

(iii) Castle

Commissioner Lewis referred to the March 5, 2018 Orlando Sentinel newspaper *Fruitland Park 'Castle' Faces Possible Demolition as Neighbor Fights to Preserve History* and relayed his agreement with Mayor Cheshire's statements.

Commissioner Lewis pointed out the comments made by City of Tavares Councilmember Bob Granier on the structure's benefits and believed that cities ought to purchase such historical sites. He compared the City of Tavares' millage rate with the City of Fruitland Park, and pointed out his previous discussion on the need to clean up the eyesores of the city; thus, he voiced his favor in improving the city.

(iv) City of Fruitland Park

Commissioner Lewis relayed the discussions Mr. Phillip C. Egner, City of Fruitland Park (Brookstone Subdivision) resident, had with him on the difficulty he has, as a service contractor, in finding service for laborers; pointed out the situation that someone else raised with him the characteristics of Fruitland Park featuring "the bedroom community" did not and do not work, and addressed the livelihood of working in the city not generating enough for families.

Commissioner Lewis believes that if the opportunity avails itself, the city commission ought to be considering available and affordable homes in certain areas for employees living in the city and working in the service industry especially as it relates to the PUD request.

Mr. Beliveau identified the city's demographics; its population as the youngest per capita with a community of families, and its quality of homes which are less expensive than the surrounding neighborhoods. He gave a historical overview of relocated families that have settled around the city and activities at The Villages by the younger crowd and noted the recreational programs available for children.

In response to Mr. Beliveau's suggestion for the city commission to continue reviewing, as a balance, the proposed projects for consideration; thus, the need to be proactive in encouraging such type of market, Mayor Cheshire addressed the plans for the city commission to obtain what it desires for the city.

(c) **Commissioner Bell**

i. **New Fruitland Park Library Ground-Breaking Ceremony**

Commissioner Bell, in concurring with previous comments by Commissioners Ranize and Lewis, complemented Ms. Glendinning on her work with the New Fruitland Park Library Ground-Breaking Ceremony events that took place earlier this day.

ii. **Gardenia Park**

Commissioner Bell recognized the children loving the Gardenia Park and requested that staff identify the cost to erect a short fence around the perimeter.

(d) **Vice Mayor Gunter, Jr.**

i. **New Fruitland Park Library Ground-Breaking Ceremony**

Vice Mayor Gunter expressed gratitude to Ms. Glendinning for her efforts on the New Fruitland Park Library Ground-Breaking Ceremony.

ii. **Castle**

Vice Mayor Gunter described his recollection of Mr. Ivan "Honest John" Yeftich who was the owner of the Castle property.

iii. **The Villages - Demographics**

Vice Mayor Gunter recognized the change in demographics at The Villages at the Spanish Springs Town Square after 10:00 p.m.

In response Mr. La Venia conveyed the Lady Lake Police Department's question on the police department's activities after that time.

iv. **Beautification Day**

Vice Mayor Gunter requested clarification of the March 10, 2018 Fruitland Park Beautification Day event at the Fruitland Park Library at 10:00 a.m.

Ms. Yoder explained that the participants will meet at Gardenia Park's pavilion and shirts would be available; plantings will be taking place at the Fruitland Park Library at 205 West Berckman Street, and lunch will be provided by Waste Management Inc.

iv. **Score Board**

Vice Mayor Gunter requested that Ms. Yoder meet with Mr. La Venia to obtain contact information of Mr. Chris Wickberg, Westminster

Communities Inc., regarding the need for a scoreboard. Vice Mayor Gunter relayed Mr. Wickberg's statements, before he left the February 22, 2018 regular meeting, that if the proposed Rezoning and Development Agreement Ordinance 2018-002 was approved, that he be contacted.

8. MAYOR'S COMMENTS

a. New Fruitland Park Library Ground-Breaking Ceremony

Mayor Cheshire commended Ms. Glendinning on the job well done at the New Fruitland Park Library Ground-Breaking Ceremony held earlier this day.

b. Policy and Procedure

Mayor Cheshire concurred with Commissioner Ranize' suggestions made at the January 11, 2018 regular meeting on the need to develop policies and procedures for the community development department; voiced concerns on the city commission not being properly informed about road improvements being made conforming to the county's standards, and mentioned the need to implement such procedures when reviewing the LDRs.

After Mr. La Venia addressed the need to review the incorporation of Miami Curbs in the city's future developments especially as it pertains to PUDs, Commissioner Lewis recognized the residents' concerns on the condition of the city's roadways to which Mayor Cheshire emphasized the requirement to obtain assistance from Mr. Beliveau to include same when considering the development of future homes.

c. Dates to Remember

Mayor Cheshire recognized the following events:

- March 9, 2018, LCLC *Washington Update* U.S. Congressman Daniel Webster, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.
- March 9, 2018, Movie on the Lawn *Wonder* at 7:00 p.m.;
- March 10, 2018, Fruitland Park Beautification Day, Fruitland Park Library 205 West Berckman Street, Fruitland Park, Florida 34731 at 10:00 a.m.
- March 15, 2018, Citizens First Bank, *Business Before Hours* Ribbon Cutting, 3290 CR Highway 441/US 27, Fruitland Park, Florida 34731 at 7:30 a.m.;
- March 15, 2018, City Commission Workshop at 6:00 p.m.;
- March 22, 2018, City Commission Regular at 6:00 p.m.;
- April 3, 2018, Lake Emergency Management Services (EMS) Inc., Finance Committee Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 2:00 p.m.;

- April 5, 2018, City Commission Workshop at 6:00 p.m.;
- April 7, 2018, Fruitland Park Day at 10:00 a.m. and Annual Barbeque Cook-Off at 12:00 p.m.;
- April 10, 2018, Lake EMS Employee Issues Committee, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 3:00 p.m.;
- April 10, 2018, Lake EMS Operations Committee Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 4:00 p.m.;
- April 12, 2018, City Commission Regular at 6:00 p.m.;
- April 13, 2018, LCLC *SJRWMD Lake Apopka Restoration Presentation*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;
- April 13, 2018, Movie on the Lawn *Jimanji* at 7:00 p.m.;
- April 24, 2018, Lake EMS Board of Directors Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 2:30 p.m., and
- April 25, 2018, Lake-Sumter MPO Governing Board Meeting, 225 W Guava Street, #217, Lady Lake, Florida 32159 at 2:00 p.m.

9. ADJOURNMENT

There being no further business, the meeting adjourned at 7:53 p.m.

The minutes were approved at the May 24, 2018 regular meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Chris Cheshire, Mayor



**AGENDA ITEM
NUMBER
5a**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Resolution 2018-027 Northwest Lake Community Park Soccer Field Joint Development ILA		
For the Meeting of:	May 24, 2018		
Submitted by:	City Manager/City Attorney		
Date Submitted:	May 17, 2018		
Are Funds Required:		Yes	X No
Account Number:			
Amount Required:			
Balance Remaining:			
Attachments:	Yes		
Description of Item:	Resolution 2018-027 second amendment to ILA relating to sports field lighting at Northwest Lake Community - Cales Park Multipurpose Soccer Field Complex.		
Action to be Taken:	Adopt Resolution 2018-027		
Staff's Recommendation:	Approval		
Additional Comments:			

Reviewed by: _____

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

RESOLUTION 2018-027

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE SECOND AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA, AND THE CITY OF FRUITLAND PARK REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 20, 2016, the City of Fruitland Park, Florida, a municipal corporation organized and existing under the laws of the State of Florida (hereafter the “CITY”) entered into an interlocal agreement with Lake County, Florida, a political subdivision of the State of Florida, by and through its Board of County Commissioners (hereafter the “COUNTY”) regarding a joint development of a soccer field at Northwest Lake Community Park (hereinafter referred to as the “Park”); and

WHEREAS, on February 27, 2018, the CITY and COUNTY entered into an Amendment to Interlocal Agreement providing for an extension of time; and

WHEREAS, it is necessary to amend the agreement as the CITY is requesting a modification of the contribution amount in order to provide for the purchase and installation of sports lighting at the Park and the COUNTY is agreeable to the proposed amendments; and

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

WHEREAS, the City Commission of the City of Fruitland Park, Florida desires to adopt the second amendment of the Interlocal Agreement between the COUNTY and the CITY regarding the joint development of a soccer field at Northwest Lake Community Park.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Second Amendment to Interlocal Agreement between LAKE COUNTY and the CITY OF FRUITLAND PARK Regarding the Joint Development of a Soccer Field at Northwest Lake Community Park (the “Amendment”), a copy of which is attached hereto, is approved.

Section 2. The Commission authorizes the Mayor to execute the second amendment to the 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 24th day of May, 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

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

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

**SECOND AMENDMENT TO INTERLOCAL AGREEMENT
BETWEEN LAKE COUNTY, FLORIDA AND
THE CITY OF FRUITLAND PARK
REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT
NORTHWEST LAKE COMMUNITY PARK**

This is a Second Amendment to an Interlocal Agreement agreed to between Lake County, Florida, a political subdivision of the State of Florida, by and through its Board of County Commissioners (hereafter the "COUNTY"), and the City of Fruitland Park, Florida, a municipal corporation organized and existing under the laws of the State of Florida (hereafter the "CITY").

WITNESSETH:

WHEREAS, the CITY owns and operates Northwest Lake Community Park, located at 200 Shiloh Street, Fruitland Park, Florida (hereinafter referred to as the "Park"); and

WHEREAS, the CITY desires to construct a soccer field at the Park (hereinafter referred to as the "Project"); and

WHEREAS, on December 20, 2016, the CITY and the COUNTY entered into an Interlocal Agreement regarding the Joint Development of a Soccer Field at the Northwest Lake Community Park ("Interlocal Agreement"); and

WHEREAS, on February 27, 2018, the CITY and the COUNTY entered into an Amendment to Interlocal Agreement Between Lake County, Florida and the City of Fruitland Park Regarding Joint Development of a Soccer Field at Northwest Lake Community Park ("First Amendment") providing for an extension of time for the Project; and

WHEREAS, the CITY requests the Interlocal Agreement be amended for a second time to modify the contribution amount in order to provide for the purchase and installation of sports lighting at the Park.

NOW, THEREFORE, for and in consideration of the mutual covenants, promises, conditions and payments contained herein, the parties agree as follows:

1. **Recitals.** The above recitals are true and correct and incorporated herein.
2. **Amendment.** The CITY and the COUNTY agree that the following sections of the Interlocal Agreement will be amended to state as follows:

Section 2. Obligations of COUNTY and CITY. The COUNTY agrees to reimburse the CITY for a portion of the cost of the

Project. The COUNTY's total funding reimbursement shall not exceed **One Hundred and Fifty Thousand Dollars (\$150,000.00)**, which shall be provided in three payments of no greater than Fifty Thousand Dollars (\$50,000.00) each. The first payment shall be provided between October 1, 2017 and September 30, 2018, and the second payment shall be provided on or before September 30, 2019. The third payment in the amount of Fifty Thousand Dollars (\$50,000) will be provided after installation by the CITY, of sports lighting at the Park. Upon completion of the installation of the sports lighting the CITY will notify the COUNTY and if the lighting installed to the satisfaction of the COUNTY, the COUNTY agrees to make the third and final payment.

Funding payments made to the CITY by the COUNTY shall be subject to the following terms and conditions:

A. The CITY shall submit to the COUNTY an approved Park Master Plan for the Project prior to beginning construction on the Project.

B. The CITY shall submit requests for reimbursement to the COUNTY accompanied by documentary evidence of the CITY's expenditures incurred through construction of the Project. Such documentary evidence shall include a detailed description of the services provided, proof that payment has been made to all contractors, subcontractors and suppliers providing any labor, materials or equipment related to the Project, as well as acceptance and approval of such labor, materials or equipment from an authorized CITY representative. Under no circumstances shall the requests for reimbursement be submitted to the COUNTY in advance of the delivery and acceptance of the services.

C. Within thirty (30) days of receipt of the request for reimbursement and the accompanying documentary evidence, the COUNTY shall provide reimbursement to the CITY subject to the terms and conditions contained herein.

D. The time of payment and the amount of funds reimbursable to the CITY by the COUNTY at any one time during the term of this

Agreement is directly dependent on the costs incurred by the CITY for the Project as evidenced by the corresponding documentation specified in paragraphs A and B above. Notwithstanding the foregoing, in no event shall the COUNTY be obligated to reimburse to the CITY total monies in excess of One Hundred and Fifty Thousand Dollars (\$150,000.00).

E. The CITY shall comply with all of the terms and conditions of this Agreement.

Section 3. Expenditure of Funds by the CITY. The CITY understands and agrees that the COUNTY shall only provide reimbursement for costs incurred by the CITY on or before August 31, 2018, for the first payment of up to Fifty Thousand Dollars (\$50,000.00) and on or before August 31, 2019, for the second and third payment of up to One Hundred Thousand Dollars (\$100,000.00), for the purposes enumerated herein. In the event the Project is not completed and the COUNTY has not provided the total reimbursement amount by September 30, 2019, the parties shall have the option to extend reimbursement funding for one (1) additional year. Provision of reimbursement for costs incurred beyond August 31, 2019, is a COUNTY prerogative and not a right of the CITY. Any extension of reimbursement funding shall be in writing and fully executed by the parties, with the same formality and of equal dignity herewith.

3. **Effect of Amendment.** This Amendment shall take effective immediately upon execution All other provisions of the Interlocal Agreement not specifically addressed above, will remain in full force and effect unless otherwise formally amended by the parties. To the extent that this Amendment conflicts with the Interlocal Agreement, this Amendment will govern.

**SECOND AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY AND FRUITLAND PARK REGARDING
JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK_2018**

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment on the respective dates under each signature: Lake County, Florida, through its Board of County Commissioners, signing by and through its Chairman, and City of Fruitland Park, through its Mayor.

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 and legality:

Melanie Marsh
County Attorney

**SECOND AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY AND FRUITLAND PARK REGARDING
JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK_2018**

CITY OF FRUITLAND PARK, FLORIDA

Christopher Cheshire, Mayor

This ____ day of _____, 2018.

ATTEST:

Esther Lewin-Coulson, City Clerk

Approved as to form and legality:

Anita Geraci-Carver, City Attorney



AGENDA ITEM
NUMBER

5b

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Resolution 2018-029 Budget Amendment BT2018-019		
For the Meeting of:	May 24, 2018		
Submitted by:	City Treasurer		
Date Submitted:	May 16, 2018		
Are Funds Required:	<input type="checkbox"/>	<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 BT2018-019 will decrease the budget for general fund reserves and will increase Police department's budget - \$23,145, for an additional officer approved at the May 10, 2018 Commission meeting.			
Action to be Taken: Adopt Resolution 2018-029			
Staff's Recommendation: Approve Budget Amendment BT2018-019			
Additional Comments:			

Reviewed by: _____

City Manager

Authorized to be placed on the Regular Consent agenda: _____

Mayor

RESOLUTION 2018-029

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 RESERVE TO THE GENERAL FUND POLICE BUDGET FOR EXPENDITURES IN THE POLICE BUDGET FOR AN ADDITIONAL POLICE OFFICER; 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, one additional police officer was authorized by the Commission to begin June 1, 2018; and

WHEREAS, it is desired that supplemental appropriation be approved from funds designated for the General Fund reserve be utilized under the police department thereby increasing the police departments budget ; and

WHEREAS, the City Commission desires to amend the 2017-2018 Fiscal Year budget to transfer \$23,145 to increase the police 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 24th day of May, 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: #

BT2018-019

To: CITY MANAGER

Date: 15-May-2018

Prepared by: Finance Director
Department Head

Approved: [Signature]
City Manager

REVENUES:

Object name & #	Amount:	Inc/Dec
Object name & #	Amount:	Inc/Dec
Object name & #	Amount:	Inc/Dec
Object name & #	Amount:	Inc/Dec

EXPENDITURES:

Object name & #	Transfer to Gen Fund Reserves 01581-90920	Amount:	23,145	Inc/Dec
Object name & #	PD Wages 01521-10120	Amount:	13,104	Inc/Dec
Object name & #	PD Holiday Pay 01521-10151	Amount:	1,320	Inc/Dec
Object name & #	PD Uniform 01521-10155	Amount:	125	Inc/Dec
Object name & #	PD FICA 01521-10210	Amount:	1,415	Inc/Dec
Object name & #	PD Retirement 01521-10220	Amount:	3,468	Inc/Dec
Object name & #	PD Health 01521-10230	Amount:	2,868	Inc/Dec
Object name & #	PD Dental 01521-10236	Amount:	75	Inc/Dec
Object name & #	PD Workers Comp 01521-10240	Amount:	737	Inc/Dec
Object name & #	PD Life Insurance 01521-10233	Amount:	33	Inc/Dec

Explanation: Additional officer effective June 1, 2018. Funded from reserves. Approved May 10th Commission meeting. Transfer to reserves will be \$125,930 after this transaction

Approved by Commission: 5/24/2018
Date

City Clerk

City Finance Director

Mayor



**AGENDA ITEM
NUMBER**
5c

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Resolution 2018-015 – Real Property Title – Lake County School Board		
For the Meeting of:	May 24, 2018		
Submitted by:	City Manager/City Attorney/Parks and Recreation Director		
Date Submitted:	April 19, 2018		
Are Funds Required:	<input type="checkbox"/>	<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:			
Action to be Taken: Adopt Resolution 2018-015			
Staff's Recommendation: Approval			
Additional Comments:			

Reviewed by: _____
City Manager

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

RESOLUTION 2018-015

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ACCEPTING TITLE TO REAL PROPERTY BEING CONVEYED FROM THE SCHOOL BOARD OF LAKE COUNTY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park has been utilizing a small piece of land owned by the School Board of Lake County as a community park; and

WHEREAS, the City desires to own in fee simple title to the real property; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida finds that accepting title to the real property is beneficial to the City of Fruitland Park and its residents.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Title to the real property described in the Quit Claim Deed from the School Board of Lake County, a copy of which is attached hereto, is accepted.

Section 2. The Commission directs the City Manager to reflect ownership of the property in the City's records by adding the property to the City's list of assets and providing for said property to be included on the City's insurance policies, and any other such records.

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 24th day of May, 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

THIS INSTRUMENT PREPARED BY:
Fred A. Morrison
P.O. Box 491357
Leesburg, Florida 34749 – 1357

Quitclaim Deed



RESERVED FOR RECORDING

THIS QUIT CLAIM DEED, executed this ____ day of _____, 2018, by **THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA**, whose address is 201 West Burleigh Boulevard, Tavares, Florida 32778, first party, to **THE CITY OF FRUITLAND PARK, FLORIDA**, whose address is 506 West Berckman Street, Fruitland Park, Florida 34731, second party:

(Wherever used herein, the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so requires.)

WITNESSETH, That the said first party, for and in consideration of the sum of TEN AND NO/100- ----(\$10.00)-----Dollars, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Lake, State of Florida, to-wit:

From the SW corner of the SE ¼ of Section 9, Township 19 South, Range 24 East, Lake County, Florida, run North 0°35'00" E. along the west line of the SE ¼ a distance of 1029.53 ft, thence South 89°28'30" E. 26.51 ft. to the SW corner of Lot 5, Block 43, Town of Fruitland Park, Florida, thence North 0°18'20" E. 760.44 ft. to the Point of Beginning of this description; run thence North 0°18'20" E. 125.00 ft., thence S 89°51'30" E. 250.00 ft. along the South Line of Mirror Lake Manor as recorded P.B. 23, Pg. 51 of the Public Records of Lake County, Florida; then S 00°08'30" W. 125.00 ft., thence N. 89°51'30" W. 250.00 ft. to the POB

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien equity and claim whatsoever of the said first party, either in law or in equity, to the only proper use, benefit and behoof of the said second party forever.

IN WITNESS WHEREOF, the said first party has signed and sealed these presents the day and year first above written.

WITNESSES (two required):

GRANTOR: THE SCHOOL BOARD OF
LAKE COUNTY, FLORIDA

(Type or print name of witness)

BY: _____
STEPHANIE LUKE, Chair

(Type or print name of witness)

STATE OF FLORIDA
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared Stephanie Luke, as Chair of the School Board of Lake County, Florida, who acknowledged before me on the ____ day of _____, 2018, that she executed the foregoing instrument, and who was either {CHECK ONE} personally known to me, or who produced _____ as identification.

NOTARY PUBLIC SIGNATURE

Commission Number

Type or print name of Notary

Commission Expiration Date

Rec 2.00
St .60
Sur
ind

78 7505

This Quit-Claim Deed, Executed this 8 day of March, A. D. 1978, by

THE SCHOOL BOARD OF LAKE COUNTY
first party, to
CITY OF FRUITLAND PARK, A Municipal Corporation

whose postoffice address is P.O. BOX 158
FRUITLAND PARK, FLA. 32731

second party:

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

Witnesseth, That the said first party, for and in consideration of the sum of **TEN AND NO/100 DOLLARS,** and other good and valuable in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of LAKE State of FLORIDA, to-wit:

DESCRIPTION NO. 1:

For a point of Reference begin at the SW corner of the SE 1/4 of Section 9, T.19 S, R. 24 E; thence N. 00° 35' 00" E, 1029.53 Feet along the West line of said SE 1/4; Thence Departing from said West Line Proceed S, 89° 28' 30" E, 26.51 Feet to the SW corner of Lot 5, Block 43, Town of Fruitland Park Thence N, 00° 18' 20" E, 875.44 Feet to P.O.B. No. 1.

From P.O.B. No. 1 proceed S 89° 51' 30" E, 250.03 Feet to the terminus. Described Line Being the centerline of a 20' perpetual easement for ingress, egress and Utilities.

DESCRIPTION NO. 2 - Fee Simple

For a Point of Reference Begin at the above described P.O.B. No. 1 proceed Thence N. 00° 18' 20" E, 10.00 Feet; Thence S, 89° 51' 30" E, 250.00 Feet along the South Line of Mirror Lake Manor as recorded P.B. 23, PG. 51 of the Public records of Lake County, Fla.

From P.O.B. No. 2, Continue along said South line S 89° 51' 30" E, 100.00 Feet; Thence S. 90° 08' 30" W, 125.00 Feet, Thence N 89° 51' 30" W, 100.00 Feet; Thence N, 00° 08' 30" E, 125.00 Feet to the P.O.B., Containing 0.287 Acres.

DESCRIPTION NO. 3:

For a point of Reference begin at the above described P.O.B. No. 2, proceed thence S, 89° 51' 30" E, 100.00 Feet along the South line of said Mirror Lake Manor; Thence S, 00° 08' 30" W, 10.00 Feet to P.O.B. No. 3.

From P.O.B. No. 3 proceed S, 89° 51' 30" E, 585.29 Feet; thence S, 30° 16' 00" E, 286.96 Feet to the terminus described line being the centerline of a 20' wide perpetual Utility Easement. If any of the above property ceases to be used by the Grantee over-

To Have and to Hold the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

In Witness Whereof, The said first party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in presence of: THE SCHOOL BOARD OF LAKE COUNTY

Juan L. McClelland
Diana J. Misk

James R. Dunaway CHAIRMAN, James R. Dunaway
Sam B. Commander SECRETARY, Sam B. Commander

STATE OF FLORIDA, FLORIDA
COUNTY OF Lake

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared

JAMES R. DUNAWAY AND SAM B. COMMANDER to me known to be the person described in and who executed the foregoing instrument and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 8th day of March A. D. 1978.

Notary Public, State of Florida at Large
My Commission Expires Nov. 7, 1981
Bonded by American Fire & Casualty Company



This instrument prepared by: RICHARD O. SPRINGER

Address ATTY
27 S. DEWEY ST.
EUSTIS, FLA. 32726

MAR 21 11 01 AM '78

for Public Utility purposes and the Grantee so declares his intention, said property to revert to the Grantor.



10	7505	7.00	RC
1		.60	RC
002 ²	1008	3/21/78	.55 RC
			8.15 TL



(CA)

To

Quit Claim Deed

RAMCO FORM B



**AGENDA ITEM
NUMBER
5d**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Resolution 2018-018 – Hurst Street Closing – Olive Avenue		
For the Meeting of:	May 24, 2018		
Submitted by:	City Manager/City Attorney/Parks and Recreation Director		
Date Submitted:	April 19, 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:			
Action to be Taken: Adopt Resolution 2018-018			
Staff's Recommendation: Approval			
Additional Comments:			

Reviewed by: _____
City Manager

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

45 Is hereby granted and such right of way is accordingly closed and vacated.

46

47 **Section 2:** Title to said vacated right-of-way shall vest in accordance with law.

48

49 **Section 3:** Upon passage of this Resolution, the City Clerk is hereby directed to publish notice of
50 adoption of this resolution one time, within 30 days following its adoption, in one issue of a
51 newspaper of general circulation published in the county. The City Clerk is further directed to
52 record in the public records of Lake County, Florida, the proof of publication of notice of public
53 hearing, the resolution as adopted, and the proof of publication of the notice of the adoption of
54 such resolution.

55

56 **Section 4.** This Resolution shall become effective immediately upon passage by the City
57 Commission of the City of Fruitland Park.

58

59 **PASSED AND RESOLVED** in regular session of the City Commission of the City of Fruitland Park,
60 Lake County, Florida, this 24th day of May, 2018.

61

62 _____

63 Chris Cheshire, Mayor
64 City of Fruitland Park, Florida

65

66

67 ATTEST:

Approved as to Form:

68

69

70

71 _____
72 Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

73

74

75 Vice-Mayor Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

76 Commissioner Ranize _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

77 Commissioner Lewis _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

78 Commissioner Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

79 Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

80

81

82

83

84

85

(SEAL)

SKETCH OF DESCRIPTION

(NOT A FIELD SURVEY)

DESCRIPTION:

THAT 50 FOOT WIDE ROAD RIGHT OF WAY AS SHOWN ON THE PLAN OF FRUITLAND PARK AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THE SAID NORTH RIGHT OF WAY LINE ABUTTING THE SOUTH LINE OF LOTS 2, 3 AND 4, BLOCK 43, AND THE SAID SOUTH RIGHT OF WAY LINE ABUTTING THE NORTH LINE OF LOTS 5, 6 AND 7, BLOCK 43; BEING BOUNDED ON THE WEST BY THE EASTERLY RIGHT OF WAY LINE FOR OLIVE AVENUE AS SHOWN ON SAID PLAN OF FRUITLAND PARK AND BEING BOUNDED ON THE EAST BY THE EASTERLY LINE OF THAT CERTAIN PARCEL OF LAND IN FAVOR OF THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA, AS RECORDED IN OFFICIAL RECORDS BOOK 584, PAGE 477, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

NOTES:



1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS THEY BEAR THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST, AS BEING NORTH 00°35'00" EAST, PER DEED (ASSUMED MERIDIAN).
3. THE DESCRIPTION WAS PREPARED BY THIS FIRM AT THE CLIENT'S REQUEST AND IS BASED UPON INFORMATION PROVIDED.
4. THIS SKETCH MEETS ALL APPLICABLE REQUIREMENTS OF THE FLORIDA STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.051 FAC.
5. THIS SKETCH WAS PREPARED FOR DESCRIPTION PURPOSES ONLY AND DOES NOT REPRESENT A FIELD SURVEY.
6. THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1/200 OR SMALLER.
7. HORIZONTAL DATUM SHOWN HEREON IS IN U.S. FEET.

CERTIFIED TO:

CITY OF FRUITLAND PARK

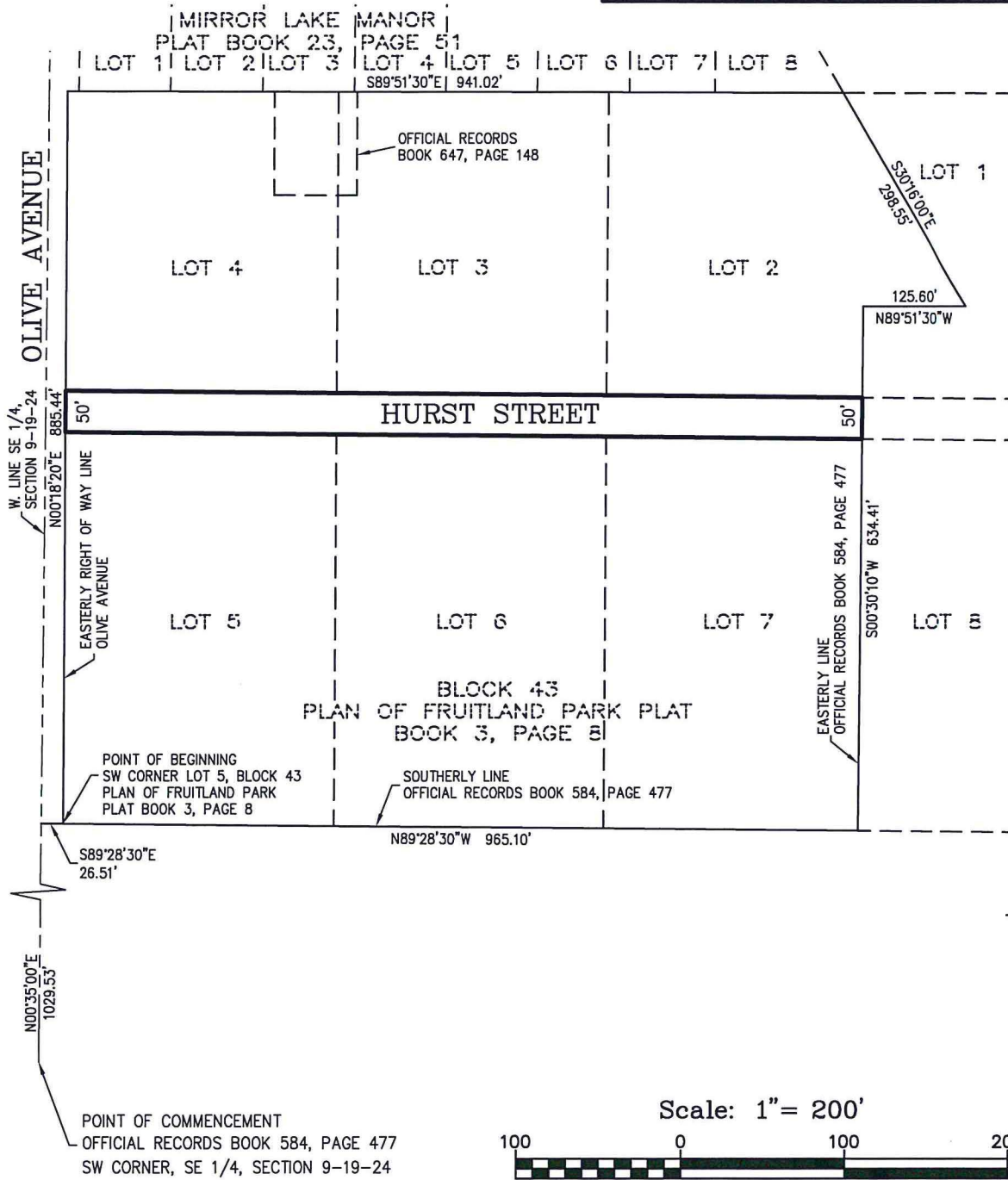
Jennings E. Griffin
 JENNINGS E. GRIFFIN, PROFESSIONAL LAND SURVEYOR
 FLORIDA REGISTRATION NO. 4486

DATE: 03/26/18

SHEET 1 OF 2		SKETCH OF DESCRIPTION	
CLIENT CITY OF FRUITLAND PARK		SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST	
JOB NO. 081040.0049		LAKE COUNTY, FLORIDA.	
ACAD FILE Hurst Street Vacaton		PLAN OF FRUITLAND PARK	
DATE 03-26-18 CHECKED BY: JEG		HURST STREET RIGHT OF WAY VACATION	
DRAWN BY: JEG FLD. BOOK:			
REVISIONS	DATE		
<small> BESH BERTH BENNETT METZGER & ASSOCIATES, P.A. 825 North Shook Ave. Office 352.343.8481 Tallahassee, Florida 32378 Fax 352.343.8488 www.besh.com ENGINEERS SURVEYORS PLANNERS LICENSED BUSINESS 7914 </small>			

SKETCH OF DESCRIPTION

(NOT A FIELD SURVEY)



LEGEND

LB LICENSED BUSINESS
ID IDENTIFICATION

SHEET 2 OF 2		
CLIENT	CITY OF FRUITLAND PARK	
JOB NO.	081040.0049	
ACAD FILE	Hurst Street Vacation	
DATE	03-28-18	CHECKED BY: JEG
DRAWN BY:	JEG	F.L.D. BOOK:
REVISIONS		DATE

SKETCH OF DESCRIPTION

SECTION 9, TOWNSHIP 19 SOUTH, RANGE 24 EAST
LAKE COUNTY, FLORIDA.

**PLAN OF FRUITLAND PARK
HURST STREET RIGHT OF WAY VACATION**

BESH

SOUTH BENTLEY SURVEYING & ENGINEERING

802 North Bentley Ave. Office: 322.343.8449
Tallahassee, Florida 323778 Fax: 322.343.8468
www.beshs.com

ENGINEERS SURVEYORS PLANNERS
LICENSED BUSINESS 7914

WARRANTY DEED

Rec 6.00
St 130.00
Sur 6.00
Cont 2.00

This Indenture, Made this 26th day of February, 1975,
Between CLYDE ROGERS, joined by his wife, ESTHER ROGERS, GLENN
ROGERS, joined by his wife, LOIS J. ROGERS, and REGENT R. WEBER,
a woman, of the county of Lake, State of Florida, grantors,
and THE SCHOOL BOARD OF LAKE COUNTY,
whose post office address is 201 West Burleigh Boulevard, Tavares, Florida,
grantee,

WITNESSETH, That said grantors, for and in consideration
of the sum of TEN AND NO/100 DOLLARS, and other good and
valuable considerations to said grantors in hand paid by
said grantee, the receipt whereof is hereby acknowledged, have
granted, bargained and sold to the said grantee, and grantee's
heirs and assigns forever, the following described land,
situate, lying and being in the County of Lake, State of Florida,
to-wit:

From the SW corner of the SE 1/4 of Section 9, Township
19 South, Range 24 East, Lake County, Florida, run
North 0°35'00" E. along the West line of the SE 1/4 a
distance of 1029.53 ft., thence South 89°28'30" E. 26.51
ft. to the SW corner of Lot 5, Block 43, Town of Fruitland
Park, Florida, and the Point of Beginning of this description;
run thence North 0°18'20" E. 885.44 ft., thence South
89°51'30" E. 941.02 ft., thence South 30°16'00" E.
298.55 ft., thence North 89°51'30" W. 125.60 ft., thence
South 0°30'10" W. 634.41 ft., thence N. 89°28'30" West
965.10 ft., to the P.O.B., containing 20.00 acres.

and said grantors do hereby fully warrant the title to said
land and will defend the same against the lawful claims of
all persons whomsoever.

IN WITNESS WHEREOF, grantors have hereunto set grantors'
hands and seals the day and year first above written.

Signed, sealed and delivered
in our presence:

Arthur E. Roberts
ARTHUR E. ROBERTS

Imogene K. Merrill
As to Clyde Rogers and wife,
Esther Rogers

Clyde Rogers (SEAL)
CLYDE ROGERS

Esther Rogers (SEAL)
ESTHER ROGERS

MAR 14 2 10 PM '75
RECORDED AND INDEXED
CLERK CIRCUIT COURT
LAKE COUNTY, FLA.

Esther E. Roberts

Imogene K. Merrill
As to Glenn Rogers and wife,
Lois J. Rogers

Imogene K. Merrill
Esther E. Roberts
As to Regent R. Weber

Glenn Rogers (SEAL)
GLENN ROGERS

Lois J. Rogers (SEAL)
LOIS J. ROGERS

Regent R. Weber (SEAL)
REGENT R. WEBER

STATE OF FLORIDA
COUNTY OF LAKE

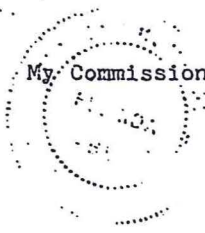
I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared CLYDE ROGERS and wife, ESTHER ROGERS; GLENN ROGERS and wife, LOIS J. ROGERS; and REGENT R. WEBER, to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 26th day of February, 1975.

Imogene K. Merrill
Notary Public

Notary Public, State of Florida at Large
My Commission Expires March 26, 1976
Bonded by American Fire & Casualty Co.,

My Commission Expires:

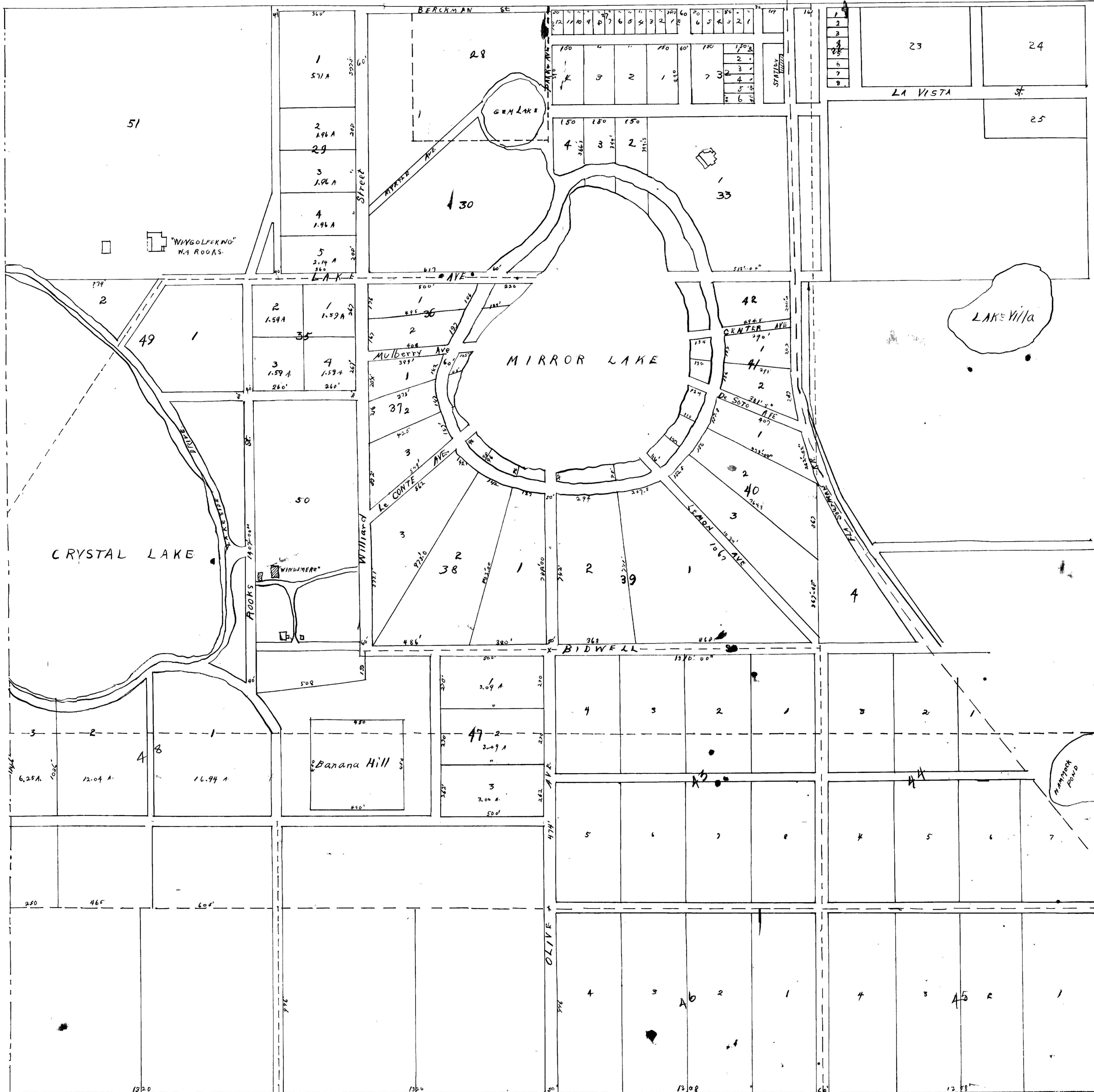


LAKE COUNTY
077869



DOCUMENTARY SUR TAX
68.00

STATE OF FLORIDA
DOCUMENTARY STAMP TAX
DEPT. OF REVENUE
MAR 14 75
180.00



PLAN OF FRUITLAND PARK

Sumpter Co. Florida.

Scale 200 ft. = 1 inch

Wm. M. Husson, Dra. P.S.M.A.

H. J. Campbell

May 1885

Filed for record November 17, 1915
Recorded November 27, 1915

Clark

State of Florida, Sumter County
I, W. M. Husson, Clerk of the Court, do hereby certify that the original plat of Fruitland Park, as shown on the attached map, is a true and correct copy of the original plat of Fruitland Park, as shown on the attached map, and that the same is a true and correct copy of the original plat of Fruitland Park, as shown on the attached map, and that the same is a true and correct copy of the original plat of Fruitland Park, as shown on the attached map.

The Villages®
DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Sheryl Dufour** who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad** in the matter of **NOTICE OF PUBLIC HEARING RESOLUTION 2018-018**, was published in said newspaper in the issues of

APRIL 10, 2018
APRIL 19, 2018

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sheryl Dufour
(Signature Of Affiant)

Sworn to and subscribed before me this 20
day April 2018
Robin L. Baldeschwieler
Robin L. Baldeschwieler, Notary

Personally Known X or
Production Identification _____
Type of Identification Produced _____

Attach Notice Here
ROBIN L. BALDESCHWIELER
MY COMMISSION # GG 026382
EXPIRES: October 10, 2020
Bonded Thru Notary Public Underwriters

NOTICE OF PUBLIC HEARINGS

RESOLUTION 2018-018

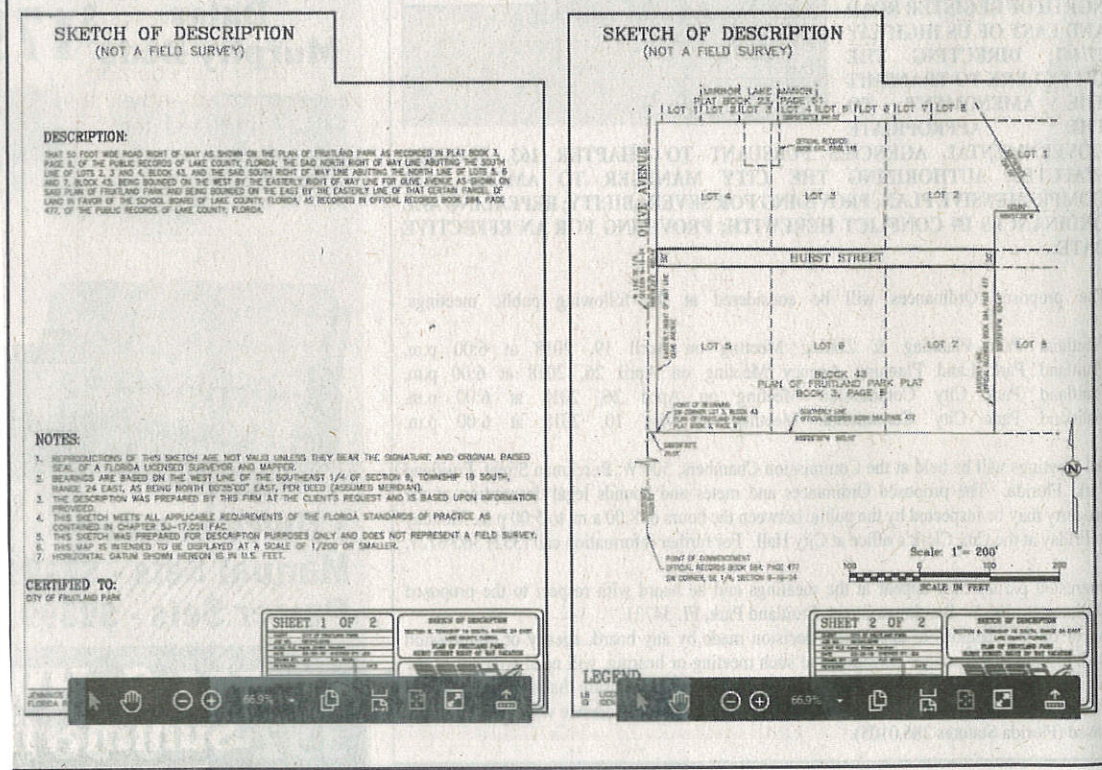
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; CLOSING AND VACATING A 50' PLATTED RIGHT OF WAY KNOWN AS HURST STREET, THE NORTH RIGHT OF WAY LINE ABUTTING THE SOUTH LINE OF LOTS 2, 3 AND 4, BLOCK 43, AND THE SOUTH RIGHT OF WAY LINE ABUTTING THE NORTH LINE OF LOTS 5, 6, AND 7, BLOCK 43, AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY; PROVIDING FOR DIRECTION TO THE CITY CLERK TO INCLUDE RECORDATION; PROVIDING FOR AN EFFECTIVE DATE.

The proposed Resolution will be considered at the following public meetings:

Planning & Zoning on Thursday, April 19, 2018 at 6:00 p.m.
Fruitland Park Land Planning Agency Thursday, April 26, 2018 6:00 p.m.
Fruitland Park City Commission Thursday, April 26, 2018 6:00 p.m.

All meetings will be held at the Commission Chambers, 506 W. Berckman Street, Fruitland Park, Florida. The proposed Resolution and metes and bounds legal description of the property may be inspected by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at the City Clerk's office at City Hall. For further information call (352) 360-6727.

Interested parties may appear at the meetings and be heard with respect to the proposed Ordinance. A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is based (Florida Statutes 286.0105).



The Villages
DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Sheryl Dufour** who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad** in the matter of **NOTICE OF PUBLIC HEARINGS RESOLUTION 2018-018**, was published in said newspaper in the issues of

MAY 10, 2018

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

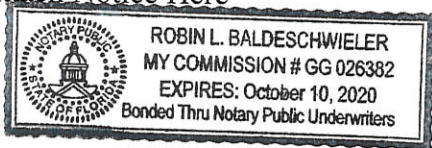
Sheryl Dufour
(Signature Of Affiant)

Sworn to and subscribed before me this 10
day May 2018.

Robin L. Baldeschwieler
Robin L. Baldeschwieler, Notary

Personally Known X or
Production Identification _____
Type of Identification Produced _____

Attach Notice Here



NOTICE OF PUBLIC HEARINGS

RESOLUTION 2018-018

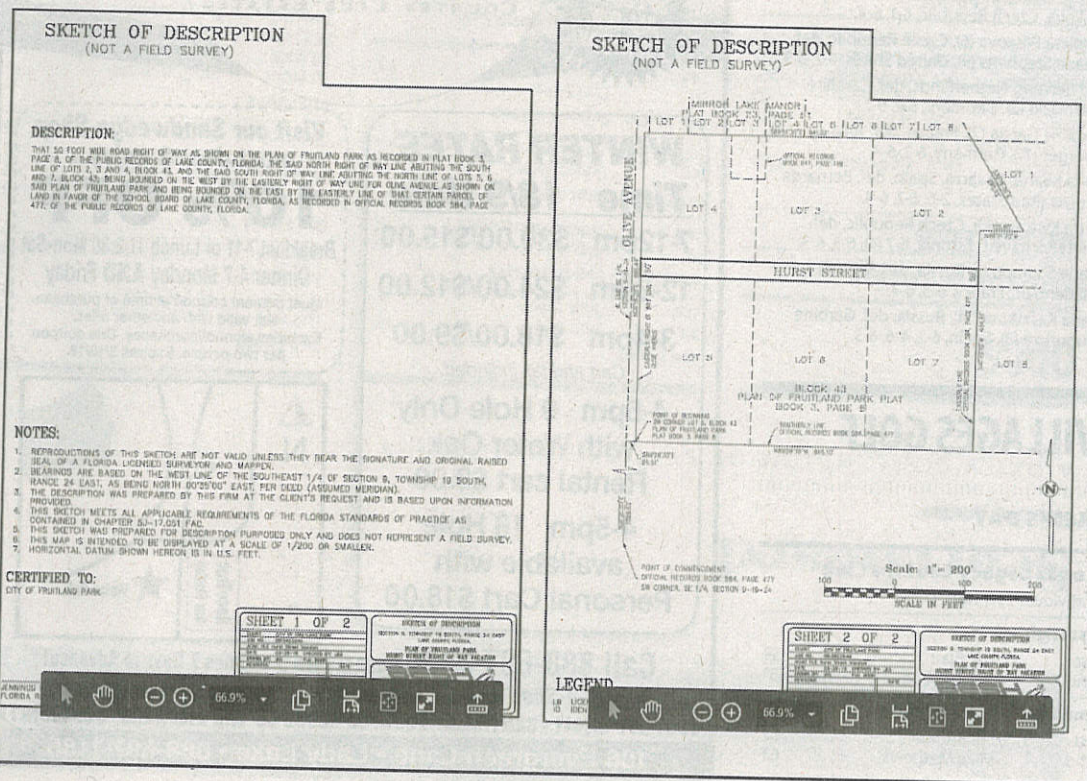
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; CLOSING AND VACATING A 50' PLATTED RIGHT OF WAY KNOWN AS HURST STREET, THE NORTH RIGHT OF WAY LINE ABUTTING THE SOUTH LINE OF LOTS 2, 3 AND 4, BLOCK 43, AND THE SOUTH RIGHT OF WAY LINE ABUTTING THE NORTH LINE OF LOTS 5, 6, AND 7, BLOCK 43, AS RECORDED IN PLAT BOOK 3, PAGE 8, OF THE PUBLIC RECORDS OF LAKE COUNTY; PROVIDING FOR DIRECTION TO THE CITY CLERK TO INCLUDE RECORDATION; PROVIDING FOR AN EFFECTIVE DATE.

The proposed Resolution will be considered at the following public meetings:

- Planning & Zoning on Thursday, May 17, 2018 at 6:00 p.m.
- Fruitland Park Land Planning Agency Thursday, May 24, 2018 6:00 p.m.
- Fruitland Park City Commission Thursday, June 14, 2018 6:00 p.m.

All meetings will be held at the Commission Chambers, 506 W. Berckman Street, Fruitland Park, Florida. The proposed Resolution and metes and bounds legal description of the property may be inspected by the public between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday at the City Clerk's office at City Hall. For further information call (352) 360-6727.

Interested parties may appear at the meetings and be heard with respect to the proposed Ordinance. A person who decides to appeal any decision made by any board, agency or commission with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is based (Florida Statutes 286.0105).





**AGENDA ITEM
NUMBER**
5e

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Resolution 2018-031 Lake County Addressing		
For the Meeting of:	May 24, 2018		
Submitted by:	City Manager/City Attorney/Parks and Recreation Director		
Date Submitted:	May 21, 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 (additional documents forthcoming)		
<u>Description of Item:</u>			
Action to be Taken: Adopt Resolution 2018-031			
Staff's Recommendation: Approval			
Additional Comments:			

Reviewed by: _____
City Manager

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

RESOLUTION 2018-031

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA, AND THE CITY OF FRUITLAND PARK FOR LAKE COUNTY ADDRESSING; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, having the COUNTY administer and process Lake County addressing within the City limits of Fruitland Park will reduce the risk of inconsistencies in addressing patterns; and

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

WHEREAS, the City Commission of the City of Fruitland Park, Florida desires to adopt the Interlocal Agreement between the Lake County, Florida and the City of Fruitland Park for Lake County Addressing.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Interlocal Agreement between Lake County, Florida and the City of Fruitland Park, Florida for Lake County Addressing (the "Agreement"), a copy of which is attached hereto, is approved.

Section 2. The Commission authorizes the Mayor to execute the 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 24th day of May, 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

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

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

**INTERLOCAL AGREEMENT
BETWEEN LAKE COUNTY, FLORIDA
AND CITY OF FRUITLAND PARK, FLORIDA
FOR LAKE COUNTY ADDRESSING**

THIS INTERLOCAL AGREEMENT (“Agreement”) by and between LAKE COUNTY, a political subdivision of the State of Florida, hereinafter referred to as “COUNTY”, and the CITY OF FRUITLAND PARK, a municipal corporation pursuant to the laws of the State of Florida, hereinafter referred to as “CITY”, for processing Lake County addressing within the limits of the City.

WHEREAS, Section 163.01, Florida Statutes provides that local governments may enter into interlocal agreements to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage; and

WHEREAS, the CITY requests the COUNTY administer and process Lake County addressing within the limits of the City of Fruitland Park; and

WHEREAS, having the COUNTY administer and process Lake County addressing within the limits of the CITY would encourage intergovernmental coordination and would reduce risk of inconsistencies in addressing patterns; and

WHEREAS, entry of this Agreement is in the best interests of both parties.

NOW THEREFORE, IN CONSIDERATION of the mutual understandings, conditions and covenants provided for herein, the parties agree as follows:

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

2. **County’s Obligations.**

A. Pursuant to the terms of this Agreement, the COUNTY agrees to process Lake County addressing within the limits of the City of Fruitland Park, Florida.

- B. The COUNTY will furnish computing equipment, software, and personnel required to maintain addressing and GIS databases. The COUNTY will operate and maintain the addressing system and standards in accordance with ordinances as enacted by the COUNTY.
- C. The COUNTY properties annexed into the CITY may be subject to an address change if it is determined by service providers that existing addresses of the surrounding area would create a confusing addressing system.

3. City's Obligations.

- A. Upon the effective date of this Agreement, CITY agrees all new addresses issued to residents of the City of Fruitland Park, Florida shall be processed by the COUNTY and shall meet the COUNTY's addressing standards. The COUNTY's addressing standards are codified in Lake County Code, Chapter 18, Article V entitled "Uniform Street Addressing System". The COUNTY agrees to notify the CITY after adoption by the Board of County Commissioners of an ordinance modify the addressing standards set forth in Lake County Code, Chapter 18, Article V.
- B. The CITY shall appoint a person to serve as a liaison for purposes of receiving and disseminating information within the CITY's limits and for reporting needs, complaints or other information to the COUNTY, particularly to notify the Lake County Office of Public Safety of new structures, subdivisions, or other property within the CITY's limits which may require addressing and of any new or realigned routes (streets, highways, roads, etc. by whatever designation), and cooperate in identifying the same for geocoding by the COUNTY. The reporting and accuracy of this information is the sole responsibility of the CITY and the CITY will assume

full liability as it relates to city address reporting and verification. The CITY's liaison will consult and cooperate with the COUNTY in the assignment of street names, ranges and addresses in order to avoid unnecessary changes and to make addressing consistent, unique and unambiguous.

- C. The CITY agrees to provide the COUNTY a digital copy of the CITY's addressing grid, or if unavailable, any documents or knowledge that would assist in recreating this grid digitally to be used to address for the CITY and to do so with the CITY's current addressing grid.
- D. Upon written invoice from the COUNTY, the CITY agrees to pay the COUNTY a fee for each addressing service requested.. The parties agree the fee(s) will be in accordance with schedule attached hereto as Attachment "A" and incorporated herein. In the event the Lake County Board of County Commissioners adopts a resolution establishing, or otherwise approves, a municipality addressing fee(s), the COUNTY will provide notice the CITY and the CITY agrees to pay the municipality addressing fee(s) established by such resolution or Board approval. The parties agree and acknowledge that the fees are subject to change during the term of this Agreement. Payment shall be made in accordance with the Florida Prompt Payment Act, Chapter 218, Part VII, Florida Statutes.
- E. When an addressing problem or discrepancy regarding addressing or road naming appears, the CITY will be responsible for the enforcement and requirement of residential and commercial buildings within the City's limits to comply with Lake County addressing standards and requirements (i.e. use of approved road name, duplication, postings, signs, changes). Nothing in this Agreement, provides the COUNTY or its employees with authority to enforce the provisions of Lake County

Code, Chapter 18, Article V within the City's limits. The CITY agrees to notify its residents of changes address numbers on signs and buildings within CITY's boundaries when the COUNTY determines changes to current addressing are warranted to remedy inconsistencies or to otherwise confirm with the addressing system.

4. Term and Termination. This Agreement shall become effective on the effective date and shall remain in full force and effect unless terminated or amended by a written document executed by both parties. Either party shall have the right to terminate this Interlocal Agreement with or without cause upon thirty (30) days written notice to the other party.

5. 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.

6. Entire Agreement. This document embodies the entire agreement between the parties. It may not be modified or terminated except as provided herein.

7. Notices.

A. All notices, demands, or other writings required to be given or made or sent in this 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 Manager
506 West Berckman Street
Fruitland Park, Florida 34731

Copy to:
Lake County Office of Public Safety
P.O. Box 7800
Tavares, Florida 32778

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.

8. Severability. If any provision of this 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.

9. Effective Date. This Agreement shall become effective upon the date the last party hereto executes it (“effective date”).

10. Recording. The parties agree that this Interlocal Agreement may be recorded in the Official Records of Lake County, Florida, at the option of the CITY, at CITY’s expense.

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

{Remainder of page left intentionally blank.}

INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY AND FRUITLAND PARK FOR LAKE COUNTY ADDRESSING

COUNTY

LAKE COUNTY, FLORIDA through its
BOARD OF COUNTY COMMISSIONERS

ATTEST:

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 and Legality:

Melanie Marsh, County Attorney

CITY

CITY OF FRUITLAND PARK, FLORIDA

ATTEST:

Esther B. Coulson, City Clerk

Chris Cheshire, Mayor

This _____ day of _____, 2018.

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

ATTACHMENT A

PUBLIC SAFETY SUPPORT	FEE
Public Safety Plan Review Fees	
Conditional Use Permit (CUP) Review	\$ 51.00
Rezoning Review	\$ 51.00
Lot Split Review	\$ 51.00
Developer's Agreement Review	\$ 51.00
General Development Review - Presubmittal	\$ 103.00
Subdivision Applications - Preliminary Plat Review	\$ 154.00
Minor Site Plan Review	\$ 154.00
Major Site Plan Review	\$ 154.00
Field Visit Review/Research	\$ 103.00
Uniform Street Addressing Fees	
Address Assignment (per address)	\$ 20.00
Road Name Reservations (per road)	\$ 97.00
Road Naming/Renaming (per petition)	\$ 150.00



**AGENDA ITEM
NUMBER
5f**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Second Reading and Public Hearing - Ordinance 2018-005 Golf Carts			
For the Meeting of:	May 24, 2018			
Submitted by:	City Manager/City Attorney			
Date Submitted:	April 20, 2018			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Yes			
Description of Items: Golf carts operation and low speed vehicles. The first reading was held on April 26, 2018.				
Action to be Taken: Enact Ordinance 2018-005 to become effective immediately as provided by law.				
Staff's Recommendation: Approval.				
Additional Comments: Continued from the May 10, 2018 regular meeting.				

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

ORDINANCE 2018-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73 OF THE CODE OF ORDINANCES RELATING TO THE OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES WITHIN THE CITY OF FRUITLAND PARK; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park has certain responsibilities for the public health, safety and welfare within the municipal limits; and

WHEREAS, Chapter 166, Florida Statutes, authorizes municipalities to adopt ordinances to protect the citizen's health, safety and welfare, in exercise of the City's police power; and

WHEREAS, the City Commission has considered the speed, volume, and character of motor vehicle traffic using the roads and streets named herein and finds that golf carts may safely travel on or cross the public roads or streets listed in this ordinance;

WHEREAS, the City Commission has determined that it is in the best interests of the City to regulate the operation of golf carts on public streets within the City; and

WHEREAS, the City of Fruitland Park has advertised as required by law for a public hearing prior to adoption of this Ordinance; and

WHEREAS, the City Commission of the City of Fruitland Park, Lake County, Florida hereby finds and declares that the adoption of this ordinance is necessary, appropriate, and in the public interest of the citizens of this community.

NOW, THEREFORE, BE IT ORDAINED by the Commissioners of the City of Fruitland Park, Lake County, Florida, as follows:

Section 1. Recitals. The foregoing recitals are true and correct.

Section 2. Amendment. Chapter 73 of the Code of Ordinances of the City of Fruitland Park, Florida, is hereby amended to read as follows:

CHAPTER 73. - GOLF CARTS AND LOW-SPEED VEHICLES

Sec. 73.01. - Definitions.

Golf cart. Pursuant to F.S. 316.003(26), a "golf cart" is defined as a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes.

Low-speed vehicle. Pursuant to F.S. § 320.01(41), a low-speed vehicle is any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including but not limited to, neighborhood electric vehicles. Said vehicles must conform to the safety standards in 49 C.F.R. 571.500 and F.S. § 316.2122.

Sec. 73.02. - Low-speed vehicles.

- (1) Low-speed vehicles may be operated on any street within the city limits where the posted speed limit is 35 miles per hour or less. Pursuant to F.S. § 316.2122(1), this does not prohibit a low-speed vehicle from crossing a road or street at an intersection where the road or street has a posted speed limit of more than 35 miles per hour.
- (2) A low-speed vehicle operated on any street within the city limits must:
 - (a) meet the minimum equipment standards as established by Florida Statutes; and
 - (b) be registered and insured in accordance with F.S. § 320.02.
- (3) Any person operating a low-speed vehicle on any street within the city limits must have in his or her possession a valid driver's license.
- (4) Low-speed vehicles may be operated at any time.

Sec. 73.03. - Authorization to Operate Golf Carts

- (1) Golf carts meeting the definition set forth in section 73.01 may be operated on all of the public roads and streets within the corporate limits of the City of Fruitland Park where the posted speed limit is 30 miles per hour or less except as specified below:
 - a. Golf carts are prohibited from operating on Dixie Avenue, Miller Street, Rose Avenue/CR 468/Willard Avenue, 466A, U.S. Highway 441/27 and Picciola Road, except at controlled intersections specified in a resolution adopted by the City Commission. Each designated controlled intersection shall be posted with signage.
- (2) Golf cart operation on sidewalks is prohibited.
- (3) In accordance with Florida law, a golf cart may not be operated on public roads or streets by any person under the age of 14.

Sec. 73-04. Equipment and Minimum Standards

All golf carts operated on any street shall meet the minimum equipment standards established by Florida Statutes.

Sec. 73-05. Hours of Operation

Golf carts shall only be permitted to operate on any street specified in section 73-03 during the hours between sunrise and sunset, except if equipped with headlights, brake lights, turn signals, and a windshield, then may operate between sunset and sunrise.

Sec. 73-06. Compliance with Traffic Laws

Golf carts and low-speed vehicles shall comply with all applicable local and State traffic laws, and may be ticketed for traffic violations in the same manner as motor vehicles.

Sec. 73-07. Enforcement

A violation of this chapter is enforceable in the manner provided by Florida law. Additionally, the City of Fruitland Park shall have the authority to enforce the provisions set forth herein to include, but not be limited to, issuing notices of violation and processing such violations through the city's code enforcement procedures.

Section 3. Inclusion in Code. It is the intent of the Commissioners that the provisions of this Ordinance shall become and be made a part of the City of Fruitland Park Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article", or such other appropriate word "or phrase in order to accomplish such intentions.

Section 4. Severability. If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance; and it shall be construed to have been the Commissioner's intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein; and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed and held to be valid, as if such parts had not been included herein.

Section 5. Conflicts. That all resolutions, parts of resolutions, ordinances or parts of ordinances in conflict herewith are hereby repealed. The following are specifically repealed in full: Ordinances 2014-011, 2012-025, and 2012-018 and Resolution 2012-013.

Section 6. Effective Date. This ordinance shall become effective immediately upon final adoption.

PASSED and ORDAINED this _____ day of May, 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

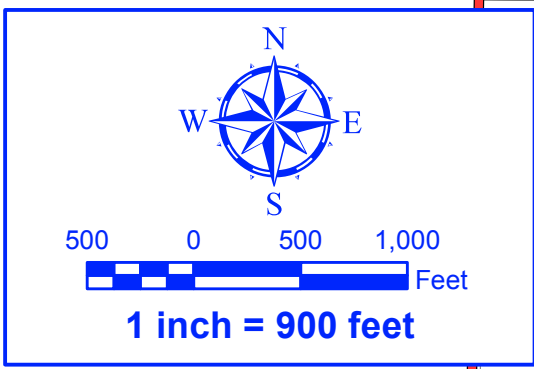
First Reading: April 26, 2018

Second Reading: _____



City of Fruitland Park Golf Cart Community

Lake County, Florida



Legend

- City of Fruitland Park
- County Boundary
- Designated Golf Cart Crossing
- Golf Cart Community
- ⊗ No Golf Cart Access Beyond Point
- County Road - No Golf Carts
- County Road - Golf Carts Allowed
- Fruitland Park Golf Cart Road

Sumter County
Lake County

The Villages®
DAILY SUN

Published Daily
Lady Lake, Florida
State of Florida
County Of Lake

Before the undersigned authority personally appeared **Sheryl Dufour** who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad # 812901** in the matter of **ORDINANCE 2018-005, 2018-013 & 2018-012** was published in said newspaper in the issues of

MAY 1, 2018

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

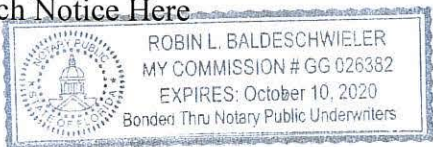

(Signature Of Affiant)

Sworn to and subscribed before me this 1 day May 2018.


Robin L. Baldeschwieler, Notary

Personally Known X or
Production Identification _____
Type of Identification Produced _____

Attach Notice Here



ORDINANCE 2018-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73 OF THE CODE OF ORDINANCES RELATING TO THE OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES WITHIN THE CITY OF FRUITLAND PARK; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on April 26, 2018.)

ORDINANCE 2018-013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING SEC. 99.30 IN CHAPTER 99 OF THE CODE OF ORDINANCES TO AUTHORIZE THE CITY COMMISSION TO SET BUILDING AND ZONING FEES BY RESOLUTION; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on April 26, 2018.)

ORDINANCE 2018-012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONSENTING TO THE INCLUSION OF THE CITY OF FRUITLAND PARK, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT (MSTU) OF THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID MSTU FOR A SPECIFIED TERM OF THREE (3) YEARS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on April 26, 2018.)

The ordinances will be presented for public hearing second reading by the Fruitland Park City Commission at its regular meeting to be held on Thursday, April 26, 2018 at 6:00 p.m. in the commission chambers of city hall, 506 West Berckman Street, Fruitland Park, Florida 34731. This meeting is open to the public. This ordinance may be reviewed or copies obtained from the city clerk's office at city hall.

Anyone requiring special accommodations at this meeting because of disability or physical impairment should contact the city clerk's office at city hall (352) 360-6727 at least three (3) business days prior to the hearing. (Florida Statutes 286.26)

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. (Florida Statutes 286.0105)
00812901 May 1, 2018



**AGENDA ITEM
NUMBER
6a**

AGENDA ITEM SUMMARY SHEET

Revised

ITEM TITLE:	City Manager Report		
For the Meeting of:	January 25, 2018		
Submitted by:	City Manager		
Date Submitted:	May 15, 2018		
Are Funds Required:		Yes	X No
Account Number:			
Amount Required:			
Balance Remaining:			
Attachments:			
Description of Item:	<ul style="list-style-type: none"> i. State of Florida Department of Environmental Protection Florida Recreation Development Assistance Program Grant Funding Status Update Report ii. Resolution 2018-021 – Shiloh Street Infrastructure Agreement (continued from the April 26, 2018 regular meeting) 		
Action to be Taken:			
Staff's Recommendation:			
Additional Comments:			

Reviewed by: _____

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



**AGENDA ITEM
NUMBER
6b**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	City Attorney Report		
For the Meeting of:	May 24, 2018		
Submitted by:	City Attorney		
Date Submitted:	May 18, 2018		
Are Funds Required:		Yes	X No
Account Number:			
Amount Required:			
Balance Remaining:			
Attachments:			
Description of Items: Please find below items to report to the City Commission.			
<u>Notice of Claim – James Hartson:</u> No developments to report.			
<u>Notice of Claim – Larry Odum:</u> No developments to report.			
<p>At the April 26, 2018 Commission meeting a question was asked about city’s ability to perform traffic control on a county road and the impact of annexation. A city does not have traffic control jurisdiction on a county road that is not located within the city’s municipal boundaries. A city does have traffic control jurisdiction on a county road located within the geographical limits of the city even if the road itself is not annexed. If one-half of a county road is within the city limits, then the city has jurisdiction to enforce traffic only on that portion of the county road. Additionally, the city and sheriff have no authority to enter into an interlocal agreement to allow the city to enforce traffic on a county road or portions thereof lying outside the corporate limits of the city.</p>			
Action to be Taken			
Staff’s Recommendation:			
Additional Comments:			

Reviewed by: _____

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