

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

October 22, 2020

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

6:00 p.m.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation – Reverend Dennis R. Langford, Covenant Life Church of God
Pledge of Allegiance – Police Chief Erik Luce

2. ROLL CALL

3. SPECIAL PRESENTATIONS

(a) 2020 Officer of the Year Recognition (city manager/police chief)
Sergeant Courtney Stewart – 2020 *Officer of the Year* Recognition.

(b) Guide Dogs Training – City Parks (city manager)
A presentation on guide dogs training at city parks by Southern Guide Dogs Inc., East Palmetto.

4. LOCAL PLANNING AGENCY

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

5. CONSENT AGENDA

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

(a) Approval of Minutes (city clerk)
October 8, 2020 regular

(b) Resolution 2020-062 Firefighters Pension Trust Fund (Fire Department) Appointment (city clerk)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER TO THE BOARD OF TRUSTEES OF THE MUNICIPAL FIRE FIGHTERS PENSION TRUST FUND OF THE CITY OF FRUITLAND PARK; AND PROVIDING FOR AN EFFECTIVE DATE.

6. REGULAR AGENDA

(a) Professional Grant Writing Services Agreement Discussion (city manager)

Discuss presentations given on October 8 from Guardian Community Resource Management Inc. and Liberty Partners of Tallahassee LLC at the September 24, 2020 regular meetings

(b) Resolution 2020-063 Commission Remuneration (city attorney/city manager)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, DETERMINING THE SALARY OF THE MAYOR AND CITY COMMISSIONERS; PROVIDING FOR AN EFFECTIVE DATE.

(c) Code Enforcement Vehicle Quotes (city manager/community development director)

Consider staff's recommendation on the following quotes for code enforcement's new vehicle:

- 2021 Chevy Silverado 1500 Crew Cab, Alan Jay, Sourcewell - \$27,442
- 2021 Chevrolet Silverado 1500, Alan Jay, GM - \$36,360
- 2020 F-150 4x2 Crew Cab, Bartow Ford - \$29,891.42, and
- 2020 Ford F-150 XL Crew Cab, Prestige Ford - \$28,360

PUBLIC HEARING

(d) First Reading and Public Hearing - Ordinance 2020-013 Elections (city attorney)

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES RELATING TO ELECTIONS; REPEALING PROVISIONS NO LONGER APPLICABLE; AMENDING PROVISIONS TO COMPLY WITH FLORIDA LAW; PROVIDING FOR INCLUSION IN THE CODE, SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 12, 2020.)

(e) First Reading and Public Hearing – Ordinance 2020-011 Solid Waste Rates (city treasurer/city attorney/city manager)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 99.40 TO INCREASE THE SOLID WASTE RATES BY 2% WITH RATES EFFECTIVE AS OF JANUARY 1, 2021; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 12, 2020.)

(f) Second Reading and Public Hearing – Ordinance 2020-010 SRF Revolving Loan Agreement Pledge of Funds (city attorney/city manager)

AN ORDINANCE OF CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE. (The first reading was held on October 8, 2020.)

(g) First Reading and Public Hearing – Ordinance 2020-005 Annexation (Boundary Amendment) 27.74 Acres – CR 466A-West of Oliver Lane - Petitioner: Lake County School District (city attorney/city manager/community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 27.74 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER LANE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF

FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; SETTING AN EFFECTIVE DATE. (The second reading will be held on November 12, 2020.)

- (h) First Reading and Public Hearing – Ordinance 2020-006 LSCPA – FLUP to Commercial - N CR466A and West of Olive Lane - Petitioner: Lake County School District** (city attorney/city manager/community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A LARGE SCALE COMPREHENSIVE PLAN AMENDMENT AND SITE SPECIFIC AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO COMMERCIAL HIGH INTENSITY OF 27.74 +/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER LANE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 12, 2020.)

QUASI-JUDICIAL PUBLIC HEARING

- (i) First Reading and Quasi-Judicial Public Hearing – Ordinance 2020-007 Rezoning – Petitioner: Lake County School District** (city attorney/city manager/community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 27.74 ± ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO CITY OF FRUITLAND PARK COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT

HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.
(The second reading will be held on November 12, 2020.)

END OF QUASI-JUDICIAL PUBLIC HEARING

7. OFFICERS' REPORTS

(a) City Manager

i. Economic Development Status Update

ii. COVID-19 Status Update

(b) City Attorney

i. City of Fruitland Park v. T. D. Burke

ii. City of Fruitland Park v. State of Florida Department of Management Services

iii. Michael and Laurie Fewless v. City of Fruitland Park

iv. Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case No. 2020-CA-1026

(b) UNFINISHED BUSINESS

8. 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.

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

(b) Commissioner DeGrave

(c) Commissioner Bell

(d) Vice Mayor Gunter, Jr.

10. MAYOR'S COMMENTS

11. ADJOURNMENT

DATES TO REMEMBER

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

- October 28, 2020, Lake~Sumter Metropolitan Planning Organization (LSMPO) Governing Board Meeting, Lake~Sumter MPO Board Room, Suite 175, 1300 Citizens Boulevard, Leesburg, Florida 34748 at 2:00 p.m.
- November 5, 2020 City Commission Meeting special at 6:00 p.m. – Cancelled;
- November 9, 2020, Lake County Office of Parks and Trails Advisory Board, Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;
- November 11, 2020 City Hall Closed, Veterans' Day;
- November 12, 2020 City Commission Meeting regular at 6:00 p.m.;
- November 20, 2020, *2020 Sponsor Appreciation Event*, Lake County League of Cities (LCLC), Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- November 26, 2020 City Hall Closed, Thanksgiving Day;
- November 27, 2020 City Hall Closed, Day After Thanksgiving Day;
- December 4, 2020, Christmas Luncheon, Recreation Center at 1:00 p.m.
- December 10, 2020, City Commission Meeting regular at 6:00 p.m.;
- December 11, 2020, *2020 LCLC, TBD – Year-End Wrap Up*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- December 24, 2019, City Commission Regular at 6:00 p.m. – Cancelled;
- December 24, 2020, Christmas Eve – City Hall Closed;
- December 25, 2020, Christmas Day - City Hall Closed, and
- December 31, 2020, New Year's Eve – City Hall Closed

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

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 3 a-b**

ITEM TITLE: Special Presentations
For the Meeting of: October 22, 2020
Submitted by: City Manager/Police Chief
Date Submitted: October 07, 2020
Funds Required: No
Attachments: Letter of Recommendation, Southeastern GuideDogs literature, and Domestic Animals §§97.27 City Code Excerpt

Item Description: Special Presentations:

- a. **Police Department Officer of the Year Recognition - 2020 *Officer of the Year Award*** Officer Courtney Stewart

- b. **Guide Dogs Training – City Parks** Guide dogs training at city parks by Southern Guide Dogs Inc., East Palmetto.

Action to be Taken: None

Staff's Recommendation: None

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes



FRUITLAND PARK POLICE DEPARTMENT

Chief Erik D. Luce

2020 Officer of the Year

To: City of Fruitland Park Mayor Chris Cheshire and City Commissioners

Ref.: Fruitland Park Police Department Letter of Recommendation

Date: October 07, 2020

On July 25, 2020, Officer Courtney Stewart responded to the report of a missing person. The initial report revealed that the missing woman had medicinal needs. This was determined after learning the woman had left her residence without taking her medication with her; and had not taken any prior to leaving the residence on foot the previous night. Officer Stewart recognized the need to immediately get the missing person's information out on the several information services. Officer Stewart perceived the missing woman to have an obviously eroding health condition, and should be considered endangered. Officer Stewart continued to search for the missing women, who had not been seen for over 12 hours. The last know information pertaining to her direction of travel, destination and contacts were not of any help in the investigation.

More officers became involved and the criminal investigations division began to send more contact information and a clothing description to neighboring agencies. Officer Stewart continued to search on foot in the wooded areas of the Lake Griffin State Park. Upon completing her search of the Lake Griffin State Park, Officer Stewart observed a female on the overpass of Highway 27/441. Officer Stewart recognized the female as the missing person of whom she had been searching. Upon approaching the woman on the bridge the, subject was in the act of attempting to cross over the bridge railing. The overpass has an extremely high drop to the ground on the opposite side. Officer Stewart seeing the need to take immediate action exited her vehicle and was able to secure the woman from going over the railing. The woman attempted to escape Officer Stewart at which time additional officers had arrived to completely secure the scene. The quick and decisive actions by Officer Stewart most likely saved the missing woman from great bodily harm or death due to the distance she would have fallen.

The Fruitland Park Police Department recently received a social media video of Officer Courtney Stewart dropping in on an adoption party at one of our city parks. Officer Stewart was on duty at the time and in full uniform. Officer Stewart made contact with the parent in charge and obtained permission to interact with the children. Officer Stewart went as far as taking off her duty gear and sliding down the water slide with the children.

Officer Stewart regularly starts her day shift by meeting a group of our senior citizens in The Villages of Pine Hills and takes walks with them. While doing this she is conversing with them giving them attention and providing a caring, in person ear for them to talk to.

Officer Stewart is commended for her actions and continues to deliver a true concern for the wellbeing of the citizens of the City of Fruitland Park. She is committed to caring for our citizens and engaging in a positive atmosphere toward the relationship with those of whom she contacts as a member of the Fruitland Park Police Department.

Officer Courtney Stewart is commended for a job well done, and as a result has earned the title of 2020 Fruitland Park Police Department Officer of the Year.

Chief Erik D Luce

Sec. 95.27. Domestic animals.

It shall be unlawful for any person in a public park, recreation area, or structure to do the following.

- (A) Cause or permit any animal to run loose.
- (B) Tie or hitch an animal to any tree or plant.
- (C) Walk a domestic animal without a leash, said leash to be no longer than six feet. Further, the owner or person having custody of the domestic animal shall be responsible for removal of any animal solid waste.

(Ord. 312, passed 4-12-84)

Cross References: Penalty, § 95.99.



Southeastern Guide Dogs
GuideDogs.org

SPECIAL EDITION
NEWSLETTER



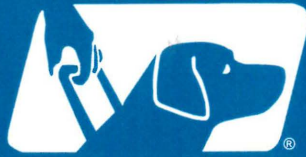
TODAY



SPRING
2015
NEWSLETTER

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**For more information, visit
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or call 800.944.3647**

*Southeastern Guide Dogs is a 501(c)(3)
non-profit organization and the
only guide dog school in the southeastern
United States accredited by the
International Guide Dog Federation.*



**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 4**

ITEM TITLE: Local Planning Agency (LPA) Meeting

For the Meeting of: October 22, 2020

Submitted by: City Clerk

Date Submitted: October 13, 2020

Funds Required: No

Account Number: N/A

Amount Required: N/A

Balance Remaining: N/A

Attachments: Yes, LPA Establishment

Item Description: LPA Establishment Ordinance 226 and Florida Statutes 163.3174

Action to be Taken: As soon as practical, recess to the Local Planning Agency meeting.

Staff's Recommendation: N/A

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

AN ORDINANCE OF THE (CITY ~~OR COUNTY~~) OF Fruitland Park,
 FLORIDA, DESIGNATING AND ESTABLISHING THE City Commission
 AS ITS LOCAL PLANNING AGENCY PURSUANT TO THE LOCAL GOVERNMENT
 COMPREHENSIVE PLANNING ACT OF 1975 (Chapters 163.3161 - 163.3211,
 Florida Statutes); SETTING FORTH SAID AGENCY'S DUTIES AND RESPON-
 SIBILITIES; ESTABLISHING SAID AGENCY'S ORGANIZATION, RULES AND
 PROCEDURES; REQUIRING THAT ALL MEETINGS BE PUBLIC AND PROVIDING
 FOR THE KEEPING OF PUBLIC RECORDS; PROVIDING FOR FINANCIAL
 SUPPORT; PROVIDING FOR SEVERABILITY OF ANY PORTION DECLARED
 INVALID; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND
 PROVIDING FOR THE EFFECTIVE DATE HEREOF. *THIS IS AN EMERGENCY
 ORDINANCE EFFECTING THE WELFARE OF THE CITIZENS.*
 BE IT ORDAINED BY THE City Commission OF
 THE (CITY ~~OR COUNTY~~) OF Fruitland Park, FLORIDA:

Section 1. AUTHORITY. This ordinance is enacted pursuant to
 and in accordance with, provisions of Chapter 163, Florida
 Statutes (Local Government Comprehensive Planning Act of 1975).

Section 2. DESIGNATION AND ESTABLISHMENT OF LOCAL LAND
 PLANNING AGENCY. Pursuant to, and in accordance with, Section
 163.3174, of Florida Statutes (the Local Government Comprehen-
 sive Planning Act of 1975) the City Commission
 is hereby designated and established as the local planning
 agency for the ~~(City)~~ incorporated territory of Fruitland Park,
 Florida.

Section 3. DUTIES AND RESPONSIBILITIES OF THE LOCAL PLANNING
 AGENCY. The local planning agency, in accordance with the
 Local Government Comprehensive Planning Act of 1975, Section
 163.3161-3211, Florida Statutes, shall:

- (a) Conduct the comprehensive planning program and prepare
 the comprehensive plan or elements or portions thereof
 for the (City ~~OR COUNTY~~) of Fruitland Park;
- (b) Coordinate said comprehensive plan or elements or portions
 thereof with the comprehensive plans of other appropriate
 local governments and the State of Florida;

- (c) Recommend said comprehensive plan or elements or portions thereof to the City Commission for adoption; and
- (d) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the City Commission such changes in the comprehensive plan as may be required from time to time.

Section 4. ORGANIZATION, RULES AND PROCEDURES OF THE AGENCY.

Members of the local planning agency shall continue to be appointed and follow such rules of procedure, methods of choosing officers, setting of public meetings, providing of financial support, and accomplishing its duties as provided in The City Charter.

Section 5. PUBLIC MEETINGS AND RECORDS. All meetings of the local planning agency shall be public meetings and all agency records shall be public records. The local planning agency shall encourage public participation.

Section 6. The City Commission shall appropriate funds at its discretion to the local planning agency for expenses necessary in the conduct of its work. The local planning agency may, in order to accomplish the purposes and activities required by the Local Government Comprehensive Planning Act of 1975, expend all sums so appropriated and other sums made available for use from fees, gifts, state or federal grants, state or federal loans, and other sources; provided acceptance of loans or grants must be approved by the City Commission.

Section 6. SEVERABILITY. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by an court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not effect the validity of the remaining portions thereof.

Section 7. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS.

All ordinances and resolutions of the governing body in conflict herewith are hereby repealed.

Section 8. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption, as an emergency ordinance.

PASSED AND ADOPTED BY THE City Commission OF THE (CITY ~~OF~~) OF Fruitland Park, FLORIDA, THIS 24 DAY OF June, A.D., 1976

Jack Deulh
Mayor or Chairman

ATTEST:

Lois A. Lowery, City Clerk

FIRST READING: June 24, 1976

SECOND READING: Waived

THIRD READING: Waived

Select Year:

The 2020 Florida Statutes

[Title XI](#)
 COUNTY ORGANIZATION AND INTERGOVERNMENTAL
 RELATIONS

[Chapter 163](#)
 INTERGOVERNMENTAL
 PROGRAMS

[View Entire
 Chapter](#)

163.3174 Local planning agency.—

(1) The governing body of each local government, individually or in combination as provided in s. [163.3171](#), shall designate and by ordinance establish a “local planning agency,” unless the agency is otherwise established by law. Notwithstanding any special act to the contrary, all local planning agencies or equivalent agencies that first review rezoning and comprehensive plan amendments in each municipality and county shall include a representative of the school district appointed by the school board as a nonvoting member of the local planning agency or equivalent agency to attend those meetings at which the agency considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. However, this subsection does not prevent the governing body of the local government from granting voting status to the school board member. The governing body may designate itself as the local planning agency pursuant to this subsection with the addition of a nonvoting school board representative. All local planning agencies shall provide opportunities for involvement by applicable community college boards, which may be accomplished by formal representation, membership on technical advisory committees, or other appropriate means. The local planning agency shall prepare the comprehensive plan or plan amendment after hearings to be held after public notice and shall make recommendations to the governing body regarding the adoption or amendment of the plan. The agency may be a local planning commission, the planning department of the local government, or other instrumentality, including a countywide planning entity established by special act or a council of local government officials created pursuant to s. [163.02](#), provided the composition of the council is fairly representative of all the governing bodies in the county or planning area; however:

(a) If a joint planning entity is in existence on the effective date of this act which authorizes the governing bodies to adopt and enforce a land use plan effective throughout the joint planning area, that entity shall be the agency for those local governments until such time as the authority of the joint planning entity is modified by law.

(b) In the case of chartered counties, the planning responsibility between the county and the several municipalities therein shall be as stipulated in the charter.

(2) Nothing in this act shall prevent the governing body of a local government that participates in creating a local planning agency serving two or more jurisdictions from continuing or creating its own local planning agency. Any such governing body which continues or creates its own local planning agency may designate which local planning agency functions, powers, and duties will be performed by each such local planning agency.

(3) The governing body or bodies shall appropriate funds for salaries, fees, and expenses necessary in the conduct of the work of the local planning agency and shall also establish a schedule of fees to be charged by the agency. To accomplish the purposes and activities authorized by this act, the local planning agency, with the approval of the governing body or bodies and in accord with the fiscal practices thereof, may expend all sums so appropriated and other sums made available for use from fees, gifts, state or federal grants, state or federal loans, and other sources; however, acceptance of loans must be approved by the governing bodies involved.

(4) The local planning agency shall have the general responsibility for the conduct of the comprehensive planning program. Specifically, the local planning agency shall:

(a) Be the agency responsible for the preparation of the comprehensive plan or plan amendment and shall make recommendations to the governing body regarding the adoption or amendment of such plan. During the preparation of

the plan or plan amendment and prior to any recommendation to the governing body, the local planning agency shall hold at least one public hearing, with public notice, on the proposed plan or plan amendment. The governing body in cooperation with the local planning agency may designate any agency, committee, department, or person to prepare the comprehensive plan or plan amendment, but final recommendation of the adoption of such plan or plan amendment to the governing body shall be the responsibility of the local planning agency.

(b) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the governing body such changes in the comprehensive plan as may from time to time be required, including the periodic evaluation and appraisal of the comprehensive plan required by s. [163.3191](#).

(c) Review proposed land development regulations, land development codes, or amendments thereto, and make recommendations to the governing body as to the consistency of the proposal with the adopted comprehensive plan, or element or portion thereof, when the local planning agency is serving as the land development regulation commission or the local government requires review by both the local planning agency and the land development regulation commission.

(d) Perform any other functions, duties, and responsibilities assigned to it by the governing body or by general or special law.

(5) All meetings of the local planning agency shall be public meetings, and agency records shall be public records.

History.—s. 6, ch. 75-257; s. 1, ch. 77-223; s. 5, ch. 85-55; s. 2, ch. 92-129; s. 9, ch. 95-310; s. 9, ch. 95-341; s. 1, ch. 2002-296; s. 10, ch. 2011-139; s. 2, ch. 2012-99.

ORDINANCE 2003-004

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA; AMENDING CHAPTER 152, SECTION 152.110 OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF FRUITLAND PARK TO PROVIDE FOR A REPRESENTATIVE FROM THE LAKE COUNTY SCHOOL DISTRICT AS A NON-VOTING MEMBER ON THE CITY OF FRUITLAND PARK'S LOCAL PLANNING AGENCY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, recent amendments to the Local Government Comprehensive Planning and Land Development Regulation Act (F.S. 163.3161, et seq.) require that a representative from the Lake County School District serve as a non-voting member on the City of Fruitland Park's Local Planning Agency; and

WHEREAS, the City Commission of the City of Fruitland Park desires to make the necessary amendments to the Land Development Regulations to authorize a representative from the Lake County School Board to serve as a non-voting member on the City's Local Planning Agency; and

WHEREAS, the City Commission desires that the School Board approve the School Board member from District #2 (Fruitland Park's district) as the School Board's representative on the Local Planning Agency.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FRUITLAND PARK, FLORIDA.

SECTION 1. Chapter 152, Section 152.110 of the Land Development Regulations of the City of Fruitland Park is hereby amended to read as follows:

Section 152.110: LOCAL LAND PLANNING AGENCY

Designation and establishment of Local Land Planning Agency. Pursuant to, and in accordance with Section 163.3174, Florida Statutes (the Local Government Comprehensive Planning Act of 1975) the City Commission is hereby designated and established as the Local Planning Agency for the incorporated territory of the city. Additionally, the Local Planning Agency shall include one (1) non-voting representative of the Lake County School District appointed by the Lake County School Board.

a) Public Meetings and Records.

All meetings of the Local Planning Agency shall be public meeting and all agency records shall be public records. The Local Planning Agency shall encourage public participation.

b) Appropriation of Funds.

The City Commission shall appropriate funds at its discretion to the Local Planning Agency for expenses necessary in the conduct of its work. The Local Planning Agency may, in order to accomplish the purposes and activities required by the Local Government Comprehensive Planning Act of 1975, expend all sums appropriated and other sums made available for use from fees, gifts, state or federal grants, state or federal loans, and other sources; provided acceptance of loans or grants must be approved by the City Commission.

c) Powers and Duties.

The Local Planning Agency, in accordance with the Local Government Comprehensive Planning Act of 1975, Section 163.3161 through 163.3111, Florida Statutes shall:

- 1) Conduct the comprehensive planning program and prepare the comprehensive plan or elements or portions thereof for the city.
- 2) Coordinate the comprehensive plan or elements or portions thereof with the comprehensive plans of other appropriate local governments and the state.
- 3) Recommend the comprehensive plan or elements or portions thereof to the City Commission for adoption.
- 4) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the City Commission such changes in the comprehensive plan as may be required from time to time.

SECTION 2. All ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. The provisions of this ordinance are intended to be incorporated into the Land Development Regulations of the City of Fruitland Park, Florida and the sections of this ordinance may be renumbered, relettered, and the word "ordinance" may be changed to "section," "article," or such other word or phrase in order to accomplish such intention.

SECTION 4. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

SECTION 5. This ordinance shall be effective upon passage.

PASSED AND ORDAINED this 24th (m) day of April (m), 2003 by the City Commission of the City of Fruitland Park, Florida.

William R. White
WILLIAM R. WHITE, MAYOR

ATTEST:

Marge Strausbaugh
Marge Strausbaugh, CMC,
City Clerk

Passed First Reading 3-27-03

Passed Second Reading 4-24-03 (m)

Approved as to form and legality:

Scott A. Gerken
Scott A. Gerken, City Attorney



**CITY OF FRUITLAND PARK
CONSENT AGENDA ITEM SUMMARY SHEET
Item Number: 5 a-b**

ITEM TITLE: Draft Meeting Minutes and Resolution 2020-062
Firefighters Pension Trust Fund (Fire-Department)
Appointment

For the Meeting of: October 22, 2020

Submitted by: City Clerk

Date Submitted: October 13, 2020

Funds Required: Please see below

Account Number: N/A

Amount Required: N/A

Balance Remaining: N/A

Attachments: Yes, draft minutes and proposed resolution and supporting documents.

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

a. **September 10, 2020 regular meeting minutes**
If there are no corrections.

b. **Resolution 2020-062 Firefighters Pension Trust Fund (Fire-Department) Appointment**
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER TO THE BOARD OF TRUSTEES OF THE MUNICIPAL FIRE FIGHTERS PENSION TRUST FUND OF THE CITY OF FRUITLAND PARK; AND PROVIDING FOR AN EFFECTIVE DATE.

Action to be Taken: Approve the consent agenda

Staff's Recommendation: Approval

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

**FRUITLAND PARK CITY COMMISSION REGULAR
DRAFT MEETING MINUTES
October 8, 2020**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, October 8, 2020 at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor John L. Gunter Jr., Commissioners Christopher Bell, Patrick DeGrave, and John Mobilian.

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver; Deputy City Treasurer Denise Robbins; Police Chief Erik Luce; Community Development Director Tracy Kelley; Deputy City Clerk Jabari Hopkins, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

ACTION: 6:00 p.m. After Mayor Cheshire called the meeting to order, Pastor Deborah “Debbie” Allen, Community United Methodist Church, gave the invocation and Police Chief Luce led in the Pledge of Allegiance to the flag.

2. ROLL CALL

After Ms. Coulson called the roll where a quorum was declared present, Mayor Cheshire outlined the decorum for this evening’s meeting.

ACTION: 6:02:40 p.m. No action was taken.

3. CONSENT AGENDA

Approval of Minutes - September 24, 2020 regular

ACTION: 6:02:40 p.m. **On motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the consent agenda as previously cited.**

4. REGULAR AGENDA

(a) Professional Grant Writing Services RFQ 2020-02 Proposals Presentation

Mr. J. Corbett Alday, gave a background, experience and presentation of Guardian Community Resource Management Inc.’s RFQ 2020-02 Grant Writing Services proposal.

ACTION: 6:03:45 p.m. After discussion and by **unanimous consent the city commission agreed to postpone its consideration of the Professional Grant Writing Services RFQ 2020-02 Proposals to a future meeting for more information.**

(b) **Resolution 2020-045 – WWTP and Public Safety Complex Contract - GatorSkitch Architect**

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2020-045 into the record:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AIA STANDARD FORM OF AGREEMENTS BETWEEN OWNER AND ARCHITECT, GATORSKITCH CORPORATION; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:21:16 p.m. After extensive discussion, a motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2020-045 as previously cited.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously. (The city manager suggested focusing on the design work process – an enclosure for the water wastewater treatment plant building; the city’s requirements for the public safety building, and the pursuit of additional grant funding sources -- and subsequent procurement of same.)

By unanimous consent, Mayor Cheshire opened the public hearings at this evening’s meeting.

PUBLIC HEARING

(c) **First Reading and Public Hearing – Ordinance 2020-010 SRF Revolving Loan Agreement Pledge of Funds**

Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2020-010 into the record and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE. (The second reading will be held on October 22, 2020.)

ACTION: 6:43:04 p.m. A motion was made by Vice Mayor Gunter and seconded by Commissioner DeGrave that the city commission approve Ordinance 2020-010 as previously cited.

Mr. La Venia referred to the October 7, 2020 email from Ms. Helen C. Lavalley, Lake County School District, regarding her inquiries on the future land use and permitted use on the district's property located on Urick Street and noted the plans for a proposed school in 2024. A copy of the email is filed with the supplemental papers to the minutes of this meeting.

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

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously. (A legal opinion identifying the availability of pledged revenues to support said ordinance will be provided by the city attorney.)

As a result of the October 5, 2020 meeting held with Public Works Director Robb Dicus and Mr. Duane K. Booth PE, Besh-Halff Inc., consultant retained by the city, Mr. La Venia recognized the subject project and various water and wastewater treatment plant connections and addressed his desire to invite Mr. Booth to appear before the city commission at a future meeting to outline potential water wastewater improvement projects not part of the subject SRF loan application.

In response, Commissioner DeGrave requested that when properties are addressed before the city commission, staff provide the Global Imaging Systems map with the layout of water and wastewater infrastructure and identifiable locations.

QUASI-PUBLIC HEARING

(d) Second Reading and Public Hearing – Ordinance 2020-009 Rezoning – Petitioner: Dream Lake Properties LLC

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2020-009, after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 0.20± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF FOREST STREET AND EAST OF SOUTH DIXIE AVE. FROM SF MEDIUM DENSITY (R-2) TO THE DESIGNATION OF RESIDENTIAL PROFESSIONAL (RP) WITHIN THE CITY LIMITS OF FRUITLAND PARK; 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 SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on September 24, 2020.)

After discussion and at Mayor Cheshire's request, Ms. Geraci-Carver swore-in Ms. Kelley to testify, who provided an updated report on the responses received from 76 notification letters regarding the subject proposed project sent on August 5, 2020 to the surrounding property owners where there were seven in opposition, two in support, and seven marked *undeliverable*.

Mayor Cheshire announced the disclosure of the following ex-parte communications dated October 8, 2020 to the city commission from City of Fruitland Park residents; copies of which are filed with the supplemental papers to the minutes of this meeting; namely, Mr. and Mrs. Matthew and Leanne White citing reasons in opposition and Ms. Sarah Cochran expressed support of the subject proposed project.

ACTION: 6:49:18 p.m. A motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission

Mr. Carlisle Burch, City of Fruitland Park resident, outlined reasons why he opposes the subject proposed ordinance.

Mr. Dan Dicus, City of Fruitland Park resident, voiced his support of the proposed ordinance.

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

END OF QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

5. OFFICERS' REPORTS

(a) City Manager

i. Economic Development Status Update

Mr. La Venia gave a status update report on the following:

- **Water Tank Maintenance** the recent maintenance, cleanup and testing of the water storage tanks (the elevated tower located at 200 Shiloh Street and ground storage tank at 201 West Berckman Street)
- **Roads and Streets** the satisfactory completion of the roads and streets within city limits by Paquette Company;
- **Fishing Dock** the latest improvements made to the fishing dock at Veteran's Memorial Park;

and

- **New Emergency Generator (City Hall)**

Permits have been issued for the new emergency generator which has been ordered to serve the police and fire departments.

ACTION: 6:57:48 p.m. No action was taken.

- ii. **COVID-19 Status Update**

The status update on the Coronavirus Disease 2019 was not addressed at this time.

ACTION: 6:59:04 p.m. No action was taken.

- iii. **Guide Dogs – City Parks**

Mr. La Venia relayed the recent request to Parks and Recreation Director Michelle Yoder from Southeastern Guide Dogs Inc., East Palmetto, to permit guide dogs to be trained at Veteran’s Park pavilion. A copy of the brochure is filed with the supplemental papers to the minutes of this meeting.

Ms. Geraci-Carver recognized, in response to Mayor Cheshire’s concerns on prohibiting dogs at city parks, that the city’s existing code under Section 96.27, Domestic Animals (Rules and Regulations for Parks and Recreational Areas and Structures Ordinance 312) would need to be amended if there are exceptions to be made in this regard.

ACTION: 6:59:04 p.m. After much discussion and **by unanimous consent, the city commission directed the city attorney to initially review the City of Fruitland Park’s existing code of ordinances on domestic animals and ask that staff invite a representative from Southern Guide Dogs Inc., East Palmetto to give a presentation on guide dogs training and location at the next meeting.**

- (b) **City Attorney**

- i. **City of Fruitland Park v. T. D. Burke**

Ms. Geraci-Carver announced that the T. D. Burke case attorney-client closed-session meeting will take place after the conclusion of this evening’s meeting.

ACTION: 7:07:20 p.m. No action was necessary.

ii. City of Fruitland Park v. State of Florida Department of Management Services

Ms. Geraci-Carver had nothing to report on the State of Florida Department of Management Services case.

ACTION: 7:05:52 p.m. No action was necessary.

iii. Michael and Laurie Fewless v. City of Fruitland Park

Ms. Geraci-Carver had nothing to report on the Michael and Laurie Fewless case.

ACTION: 7:05:52 p.m. No action was necessary.

iv. Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case No. 2020-CA-1026

Ms. Geraci-Carver announced that on October 9, 2020, Norman C. Cummins did not file a response on the filing mortgage foreclosure complaint; therefore, the plaintiff is seeking a clerk's default as a result where the case is anticipated to quickly proceed towards a resolution.

ACTION: 7:05:52 p.m. No action was necessary.

6. PUBLIC COMMENTS

Mr. Carl Yauk, Villages of Fruitland Park (VOFP) Pine Hills resident, referred to the October 13, 2020 Sumter County Board of County Commission Quasi-Judicial Public Hearing agenda to consider the request to change an amendment to the Tri-County Villages of Sumter Inc. Development of Regional Impact, (DRI);l permitting multi-family in the DRI Development Order; the renaming of Map H as Master Plan, and the creation of a single master plan for the DRI by eliminating Map H-1. After he questioned the purpose and implications of same to the VOF, Mr. La Venia explained that he will review the issue and contact him.

ACTION: 7:07:42 p.m. No action was necessary.

7. UNFINISHED BUSINESS

There was no unfinished business to come before the city commission at this time.

ACTION: 7:07:42 p.m.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian stated that he has nothing to report at this time.

ACTION: 7:09:08 p.m. No action was taken.

(b) Commissioner DeGrave

Commissioner DeGrave stated that he has nothing to report at this time.

ACTION: 7:09:15 p.m. No action was taken.

(c) Commissioner Bell

Commissioner Bell gave a report on his attendance at the October 5, 2020 Lake County Tourist Development Council meeting. He relayed the council's decisions, at the onset of COVID-19 -- on the postponement of expenditures on Lake County Tourist Development Capital projects but to continue advertising; the approval of the top ten college softball games to be held before Spring 2021 where Sleepy Hollow Sports Complex in the City of Leesburg was selected, and consider for the next meeting, the city's request on its proposal of approximately \$350,000 towards the venue's upgrades.

ACTION: 7:09:10 p.m. No action was taken.

(d) Vice Mayor Gunter, Jr.

Vice Mayor Gunter announced that on October 9, 2020, the Lake County League of Cities will be holding its luncheon meeting where U.S. Congressman Daniel Webster will be giving a presentation on the *Washington Update*.

ACTION: 7:11:13 p.m. No action was taken.

9. Mayor's Comments - Dates to Remember

Mayor Cheshire made the following announcements:

- October 9, 2020 Lake County League of Cities *Washington Update, Florida League of Cities President's Initiative: Building Stronger Cities: Organizing, Empowering, Delivering* and *LCLC 2021 Officers' Election*, Mount Dora Golf Course, 1100 S Highland Street, Mount Dora, Florida 32757
- October 22, 2020 City Commission Meeting regular at 6:00 p.m.
- October 28, 2020, Lake~Sumter Metropolitan Planning Organization (LSMPO) Governing Board Meeting, Lake~Sumter MPO Board Room, Suite 175, 1300 Citizens Boulevard, Leesburg, Florida 34748 at 2:00 p.m.
- November 5, 2020 City Commission Meeting special at 6:00 p.m.
After Ms. Geraci-Carver referred to Section 8.01., City Elections under the charter, explained that it does not require a meeting to be held on the first Tuesday following the first Monday of November each year and pointed out the outdated provisions in the city code under Chapter 34, Canvass of Returns. She recommended that the city commission grant her the permission to draft a revised ordinance, for consideration at the next meeting, to delete the provisions under Chapter 34 and cancel holding the November 5, 2020 special meeting.

- November 9, 2020, Lake County Office of Parks and Trails Advisory Board, Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;
- November 11, 2020 City Hall Closed, Veterans' Day;
- November 12, 2020 City Commission Meeting regular at 6:00 p.m.;
- November 20, 2020, *2020 Sponsor Appreciation Event*, Lake County League of Cities, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- November 26, 2020 City Hall Closed, Thanksgiving Day, and
- November 27, 2020 City Hall Closed, Day After Thanksgiving Day

ACTION: 7:11:39 p.m. **By unanimous consent, the city commission granted the City Attorney's request, as previously cited, to draft a revised ordinance for consideration at the next meeting deleting the provisions under Chapter 34 and approved cancelling the November 5, 2020 special meeting.**

10. ADJOURNMENT

There being no further business to come before the city commission, the meeting adjourned at 7:14 p.m. The Attorney-Client Session followed immediately.

The minutes were approved at the October 22, 2020 regular meeting.

Signed _____
Esther B. Coulson, City Clerk, MMC

Signed _____
Chris Cheshire, Mayor

RESOLUTION 2020-062

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER TO THE BOARD OF TRUSTEES OF THE MUNICIPAL FIRE FIGHTERS PENSION TRUST FUND OF THE CITY OF FRUITLAND PARK; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park established a municipal fire fighters pension trust fund; and

WHEREAS, Mr. Taylor Luttfiring was appointed for a term of two years;

WHEREAS, Mr. Luttfiring will fill the firefighter-appointed category position;

WHEREAS, Mr. Luttfiring’s term will expire on December 31, 2020 and he wishes to serve another two-year term.

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

1. Mr. Taylor Luttfiring is hereby reappointed to serve another term of two years.
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 22nd day of October 2020, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park
Chris Cheshire , Mayor

Attest:
Esther B. Coulson, City Clerk, MMC

 Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
 Vice Mayor Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
 Commissioner Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
 Commissioner DeGrave _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
 Commissioner Mobilian _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

**FRUITLAND PARK
BOARD OF TRUSTEES FIREFIGHTERS PENSION TRUST FUND
DRAFT MINUTES
September 30, 2020**

A meeting of the City of Fruitland Park Board of Trustees Firefighters Pension Trust Fund was held in the City Hall's Conference Room at 506 West Berckman Street, Florida, 34731 on Wednesday, September 30, 2020 at 6:00 p.m.

Members Present: Edgar J. "Jerry" Elton (residents: commission-appointed)
Charles "Chuck" Themm (residents: commission-appointed), and
City Treasurer Jeannine Racine (alternate)

Members Absent: Firefighter Kevin Ducharme (firefighter: fire department appointed),
Chair; Taylor Luttfiring (firefighter: fire department appointed) Vice Chair,
and Marc Matthews Jr., (pension board: appointed)

Also Present: Deputy City Clerk Jabari Hopkins and City Clerk Esther B. Coulson

The city clerk called the meeting to order at 6:05 p.m.

1. Pledge of Allegiance

Ms. Coulson led in the Pledge of Allegiance to the flag.

2. Roll Call

Ms. Coulson called the roll and a quorum was declared present.

Ms. Coulson recognized that the Chair Pro-Tem to be appointed to chair this evening's meeting is in order.

Mr. Elton placed the name of City Treasurer Jeannine Racine as Chair Pro-Tem.

There being no other names placed in nomination and by unanimous consent, the nominations were declared closed.

On motion of Mr. Elton, seconded by Mr. Themm and unanimously carried, the board appointed City Treasurer Jeannine Racine as Chair-Pro-Tem for this evening's meeting.

3. Approval of Minutes

On motion of Mr. Elton, seconded by Mr. Themm and unanimously carried, the board approved the July 15, 2020 meeting minutes as submitted.

4. Public Comments

There were no public comments at this time.

5. Membership

• **Chuck Themm**

Ms. Coulson announced that Mr. Luttfiring has agreed to serve for another two years as his term on the board will expire on December 31, 2020.

After discussion and **on motion of Mr. Elton, seconded by Mr. Themm and unanimously, the Board recommended that Mr. Taylor Luttfiring, Vice Chair, serve on the Board of Trustees Firefighters Pension Trust Fund for another two-year term to expire on December 31, 2022.**

6. City Treasurer's Report

• **Cash-By-Funds Summary**

The Chair Pro-Tem reviewed the August 31, 2020 Summary of Cash Accounts by Funds to be \$754,124 in the fire fighter pension.

• **2019 Premium Tax Distribution – Florida Department of Management Services, Division of Retirement**

The Chair Pro-Tem reviewed the 2019 Premium Tax Distribution from the State of Florida Department of Management Services, Division of Retirement in the amount of \$28,339.42 and reported that the city received another payment of \$40,323 required by law to be transferred to the pension fund.

By unanimous consent, the board accepted the treasurer's report as submitted.

7. Other Business

Ms. Coulson introduced Deputy City Clerk Jabari Hopkins to the board.

8. Board of Trustees' Comments

Earlier in the meeting, the Chair Pro-Tem addressed, at Mr. Elton's request, the Florida Retirement System catchup for the part-time employees which was addressed at the July 15, 2020 meeting.

9. Next Meeting Date

Earlier in the meeting and after discussion **a motion was made by Mr. Elton and seconded by Mr. Themm that the board approve holding its next meeting in December 2020; directed the city clerk to communicate with Chair Ducharme to choose a meeting date which does not conflict with his schedule and contact the board members on a mutually agreeable date.**

10. Adjournment

There being no further business to come before the board at this time, the meeting adjourned at 6:24 p.m.

Submitted: _____
Esther B. Coulson, City Clerk

Chair

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6a**

ITEM TITLE:	Professional Grant Writing Services – RFQ 2020-002 Discussion
For the Meeting of:	October 22, 2020
Submitted by:	City Manager
Date Submitted:	October 13, 2020
Funds Required:	No
Account Number:	N/A
Amount Required:	N/A
Balance Remaining:	N/A
Attachments:	None

Item Description: **Request for Qualifications:**
Professional Grant Writing Services RFQ 2020-02 presentations were given on October 8 from Guardian Community Resource Management Inc. and Liberty Partners of Tallahassee LLC at the September 24, 2020 regular meetings.

The city commission will be addressing the best qualified firm’s Request for Qualifications 2020-02 Professional Grant Writing Services proposal.

Action to be Taken:	Deny or approve the selection of a firm and the award of the contract to the best qualified firm.
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Staff’s Recommendation:	N/A
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Additional Comments:	RFQ 2020-02, Affidavit, Qualification Packages, Bid Opening, and Shortlist Ranking were provided on September 24, 2020.
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City Manager Review:	Yes
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Mayor Authorization:	Yes
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**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6b**

ITEM TITLE:	Resolution 2020-063 Commission Renumeration
For the Meeting of:	October 22, 2020
Submitted by:	City Manager
Date Submitted:	October 13, 2020
Funds Required:	\$31,800
Account Number:	01511 10130
Amount Required:	
Balance Remaining:	
Attachments:	Proposed resolution
Item Description:	Resolution 2020-063 Commission Renumeration
Action to be Taken:	Adopt Resolution 2020-063
Staff's Recommendation:	Approval
Additional Comments:	None
City Manager Review:	Yes
Mayor Authorization:	Yes

RESOLUTION 2020-063

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, DETERMINING THE RENUMERATION OF THE MAYOR AND CITY COMMISSIONERS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Charter of Fruitland Park provides for the city commission to determine the annual remuneration of the mayor and city commissioners;

WHEREAS, the City Commission in accordance with the City Charter desires to establish the annual remuneration to be in effect upon commencement of the terms following the November 3, 2020 election.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The mayor, vice-mayor and each commissioner will each have an annual remuneration of twelve thousand dollars payable in equal monthly installments of one thousand dollars.

Section 2. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida; however, the remunerations will be effective upon commencement of the terms following the November 3, 2020 election.

PASSED AND RESOLVED this ____ day of _____, 2020, by the City Commission of the City of Fruitland Park, Florida.

CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA

CHRIS CHESHIRE, MAYOR
SEAL

ATTEST:

ESTHER COULSON, MMC, CITY CLERK

Mayor Cheshire ___ (Yes), ___ (No), ___ (Abstained), ___ (Absent)
Vice Mayor Gunter ___ (Yes), ___ (No), ___ (Abstained), ___ (Absent)
Commissioner Bell ___ (Yes), ___ (No), ___ (Abstained), ___ (Absent)
Commissioner DeGrave ___ (Yes), ___ (No), ___ (Abstained), ___ (Absent)
Commissioner Mobilian ___ (Yes), ___ (No), ___ (Abstained), ___ (Absent)

Approved as to form:

Anita Geraci-Carver, City Attorney

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6c**

ITEM TITLE: Code Enforcement Vehicle Purchase
For the Meeting of: October 22, 2020
Submitted by: City Manager/Community Development Director
Date Submitted: October 13, 2020
Funds Required: Yes
Account Number: 01524 60640
Amount Required: \$25,000
Balance Remaining:
Attachments: Purchase order and vehicle quotations

Item Description: **New vehicle for code enforcement** as approved in the FY 2020-21 budget for equipment purchases:

- 2021 Chevy Silverado 1500 Crew Cab, Alan Jay, Sourcewell \$27,442
- 2021 Chevrolet Silverado 1500, Alan Jay, GM \$36,360
- 2020 F-150 4x2 Crew Cab, Bartow Ford \$29,891.42,
and
- 2020 Ford F-150 XL Crew Cab, Prestige Ford \$28,360

Action to be Taken: **Approve**

Staff's Recommendation: Approve vehicle purchase.

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes



Awarded Contract

Call Us first, for all of your Fleet Automotive, & Light Truck needs.

Quote

PHONE (800) ALANJAY (252-6529)		DIRECT 863-402-4234	WWW.ALANJAY.COM	27706-4
Corporate Office	2003 U.S. 27 South Sebring, FL 33870	MOBILE 863-381-3411	Mailing Address	P.O. BOX 9200 Sebring, FL 33871-9200
		FAX 863-402-4221		

ORIGINAL QUOTE DATE
10/4/2020

QUICK QUOTE SHEET

REVISED QUOTE DATE
10/13/2020

REQUESTING AGENCY	FRUITLAND PARK, CITY OF		
CONTACT PERSON	LORI DAVIS	EMAIL	Ldavis@fruitlandpark.org
PHONE	352-360-6542	MOBILE	FAX

SOURCEWELL (FORMERLY NJPA) CONTRACT # 2021 120716-NAF & 06 www.NationalAutoFleetGroup.com

MODEL	CC10543 1WT	MSRP	\$34,900.00
2021 CHEVY SILVERADO 1500 CREW CAB 2WD 5.5' BED WORK TRUCK 147"WB			
CUSTOMER ID	Community Development	NJPA PRICE	\$23,662.00

BED LENGTH	5.5
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** All vehicles will be ordered white w/ darkest interior unless clearly stated otherwise on purchase order.

FACTORY OPTIONS	DESCRIPTION	
GAZ H2G	EXTERIOR COLOR SUMMIT WHITE WITH JET BLACK VINYL INTERIOR.	\$0.00
LV3 MYC	4.3L ECOTEC V6 WITH 6-SPD AUTO TRANS	\$0.00
G80	Auto-locking rear differential	\$390.00
PEB	WT Value Package includes: (PCV) WT Convenience Package (When (ZW9) pickup bed delete is ordered, (QT5) EZ Lift power lock and release tailgate is deleted.) includes (AQQ) Remote Keyless Entry, (QT5) EZ Lift power lock and release tailgate, (AKO) tinted windows, (C49) rear-window defogger, (K34) cruise control and (DLF) power mirrors(When ordered with (PQA) WT Safety Package, (DLF) power mirrors include (UKC) Lane Change Alert with Side Blind Zone Alert and (DP6) high-gloss mirror caps.Not available with (ZLQ) WT Fleet Convenience Package.(DLF) mirrors are upgradeable to (DPO) trailer mirrors.) and (Z82) Trailering Package(Not available with (ZLQ) WT Fleet Convenience Package or (ZW9) pickup bed delete.)	\$1,510.00
K14	Power outlet, instrument panel, 120-volt (400 watts shared with (KC9) bed mounted power outlet) (Requires (PCI) Convenience Package, (PEB) Sierra Value Package or (ZLQ) Fleet Convenience Package. Included with (PQA) 1SA Driver Alert Package I or (PEF) 1SA 2.7L Fleet Package.)	\$220.00
UE1	OnStar and Chevrolet connected services capable (Requires (U2K) SiriusXM Radio. Included with (PEF) Work Truck 2.7L Fleet Package. Terms and limitations apply. See onstar.com or dealer for details.)	\$170.00
U2K	SiriusXM Radio (Req'd with UE1)	\$95.00

CONTRACT OPTIONS	DESCRIPTION	FACTORY OPTIONS	
NO-TEMP	TEMP TAG NOT REQUESTED, CUSTOMER WILL HANDLE THEIR OWN TAG WORK.		\$0.00
RAM-VB-195-SW1	RAM universal laptop mounting kit with universal cradle.		\$450.00
FS 4CNR-2GL+2TL	Federal Signal (4) corner LED with with (2) dual color micropulse mounted in grille and (2) corner LED's mounted in rear tail lamps.		\$690.00
PBL	Plastic bed liner.		\$255.00

CONTRACT OPTIONS		\$1,395.00
TRADE IN	TOTAL COST	\$27,442.00
YES WE TAKE TRADE INS ~~~ ASK ABOUT MUNICIPAL FINANCING ~~~		\$0.00
TOTAL COST LESS TRADE IN(S)		QTY 1 \$27,442.00

Estimated Annual payments for 60 months paid in advance: \$6,145.88
Municipal finance for any essential use vehicle, requires lender approval, WAC.

Comments

VEHICLE QUOTED BY **CHRIS WILSON** FLEET SALES MANAGER chris.wilson@alanjay.com

"I Want to be Your Fleet Provider"

I appreciate the opportunity to submit this quotation. Please review it carefully. If there are any errors or changes, please feel free to contact me at any time. I am always happy to be of assistance.

GM OnStar Subscription Specialist
Michell G Lander
203-917-0087
michell.g.lander@gm.com



Alan Jay Fleet Sales

Chris Wilson | (863)402-4234 | chris.wilson@alanjay.com

Vehicle: [Fleet] 2021 Chevrolet Silverado 1500 (CC10543) 2WD Crew Cab 147" Work Truck (✔ Complete)



Note:Photo may not represent exact vehicle or selected equipment.

Window Sticker

SUMMARY

[Fleet] 2021 Chevrolet Silverado 1500 (CC10543) 2WD Crew Cab 147" Work Truck MSRP:\$34,900.00

Interior:Jet Black, Vinyl seat trim

Exterior 1:Summit White

Exterior 2:No color has been selected.

Engine, 4.3L EcoTec3 V6

Transmission, 6-speed automatic, electronically controlled

OPTIONS

CODE	MODEL	MSRP
CC10543	[Fleet] 2021 Chevrolet Silverado 1500 (CC10543) 2WD Crew Cab 147" Work Truck	\$34,900.00
OPTIONS		
1WT	Work Truck Preferred Equipment Group	\$0.00
AE7	Seats, front 40/20/40 split-bench	\$0.00
AKO	Glass, deep-tinted	Inc.
AQQ	Remote Keyless Entry, with 2 transmitters	Inc.
C49	Defogger, rear-window electric	Inc.
C5U	GVWR, 6800 lbs. (3084 kg)	\$0.00
CTT	Hitch Guidance	Inc.
DLF	Mirrors, outside heated power-adjustable	Inc.
FE9	Emissions, Federal requirements	\$0.00
G80	Auto-locking rear differential	\$395.00
GAZ	Summit White	\$0.00
GU6	Rear axle, 3.42 ratio	\$0.00
H2G	Jet Black, Vinyl seat trim	\$0.00

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Data Version: 12067. Data Updated: Oct 11, 2020 12:13:00 AM PDT.



Alan Jay Fleet Sales

Chris Wilson | (863)402-4234 | chris.wilson@alanjay.com

Vehicle: [Fleet] 2021 Chevrolet Silverado 1500 (CC10543) 2WD Crew Cab 147" Work Truck (✔ Complete)

IOR	Audio system, Chevrolet Infotainment 3 system		\$0.00
K34	Cruise control, electronic	Inc.	
KC9	Power outlet, bed mounted, 120-volt	Inc.	
KI4	Power outlet, instrument panel, 120-volt		\$225.00
LV3	Engine, 4.3L EcoTec3 V6		\$0.00
MYC	Transmission, 6-speed automatic, electronically controlled		\$0.00
PCV	WT Convenience Package	Inc.	
PEB	WT Value Package		\$1,515.00
QBN	Tires, 255/70R17 all-season, blackwall		\$0.00
QBR	Tire, spare 255/70R17 all-season, blackwall		\$0.00
QT5	Tailgate, gate function manual with EZ Lift	Inc.	
R9Y	Fleet Free Maintenance Credit.		(\$45.00)
RD6	Wheels, 17" x 8" (43.2 cm x 20.3 cm) Ultra Silver painted steel		\$0.00
U2K	SiriusXM Radio		\$100.00
UE1	OnStar and Chevrolet connected services capable		\$175.00
VK3	License plate kit, front		\$0.00
VQ2	Fleet Processing Option		\$0.00
VV4	4G LTE Wi-Fi Hotspot capable	Inc.	
Z82	Trailer Package	Inc.	
—	Option/package discount		(\$2,500.00)
—	Compass	Inc.	
—	Chevrolet Connected Access capable	Inc.	

SUBTOTAL	\$34,765.00
Adjustments Total	\$0.00
Destination Charge	\$1,595.00
TOTAL PRICE	\$36,360.00

FUEL ECONOMY

Est City:16 (2020) MPG

Est Highway:21 (2020) MPG

Est Highway Cruising Range:504.00 mi

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Chris Wilson | (863)402-4234 | chris.wilson@alanjay.com

Vehicle: [Fleet] 2021 Chevrolet Silverado 1500 (CC10543) 2WD Crew Cab 147" Work Truck (✔ Complete)

Standard Equipment

Mechanical

Durabed, pickup bed

Engine, 4.3L EcoTec3 V6 with Active Fuel Management, (285 hp [212 kW] @ 5300 rpm, 305 lb-ft of torque [413 Nm] @ 3900 rpm) (STD)

Transmission, 6-speed automatic, electronically controlled with overdrive and tow/haul mode. Includes Cruise Grade Braking and Powertrain Grade Braking (STD)

Rear axle, 3.42 ratio

GVWR, 6800 lbs. (3084 kg) (STD) (Requires 2WD model with (LV3) 4.3L EcoTec3 V6 engine or (L3B) 2.7L Turbo engine or Double Cab or Regular Cab 2WD model and (L82) 5.3L EcoTec3 V8 engine.)

Rear wheel drive

Cooling, external engine oil cooler (Not available with (L3B) 2.7L Turbo engine.)

Battery, heavy-duty 730 cold-cranking amps/70 Amp-hr, maintenance-free with rundown protection and retained accessory power (Included and only available with (LV3) 4.3L EcoTec3 V6 engine.)

Alternator, 170 amps

Frame, fully-boxed, hydroformed front section

Steering, Electric Power Steering (EPS) assist, rack-and-pinion

Brakes, 4-wheel antilock, 4-wheel disc with DURALIFE rotors

Brake lining wear indicator

Capless Fuel Fill

Exhaust, single outlet

Exterior

Wheels, 17" x 8" (43.2 cm x 20.3 cm) Ultra Silver painted steel (STD)

Tires, 255/70R17 all-season, blackwall (STD)

Tire, spare 255/70R17 all-season, blackwall (STD) (Included with (QBN) 255/70R17 all-season, blackwall tires.)

Wheel, 17" x 8" (43.2 cm x 20.3 cm) full-size, steel spare

Tire carrier lock, keyed cylinder lock that utilizes same key as ignition and door

Bumpers, front, Black (semi-gloss)

Bumpers, rear, Black (semi-gloss)

CornerStep, rear bumper

Cargo tie downs (12), fixed rated at 500 lbs per corner

Grille (Black bars and mesh inserts.)

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Vehicle: [Fleet] 2021 Chevrolet Silverado 1500 (CC10543) 2WD Crew Cab 147" Work Truck (✔ Complete)

Exterior

Headlamps, halogen reflector with halogen Daytime Running Lamps

Lamps, cargo area, cab mounted integrated with center high mount stop lamp, with switch in bank on left side of steering wheel

Taillamps, with incandescent tail, stop and reverse lights

Mirrors, outside manual, Black

Glass, solar absorbing, tinted

Door handles, Black

Tailgate and bed rail protection cap, top

Tailgate, locking utilizes same key as ignition and door (Upgraded to (QT5) EZ Lift power lock and release tailgate when (ZLQ) WT Fleet Convenience Package or (PCV) WT Convenience Package is ordered.)

Tailgate, gate function manual, no EZ Lift

Entertainment

Audio system, Chevrolet Infotainment 3 system 7" diagonal color touchscreen, AM/FM stereo. Additional features for compatible phones include: Bluetooth audio streaming for 2 active devices, voice command pass-through to phone, wired Apple CarPlay and Android Auto capable. (STD)

Audio system feature, 6-speaker system (Requires Crew Cab or Double Cab model.)

Bluetooth for phone, connectivity to vehicle infotainment system

Interior

Seats, front 40/20/40 split-bench with covered armrest storage (STD)

Seat trim, Vinyl

Seat adjuster, driver 4-way manual

Seat adjuster, passenger 4-way manual

Seat, rear 60/40 folding bench (folds up), 3-passenger (includes child seat top tether anchor) (Requires Crew Cab or Double Cab model.)

Floor covering, rubberized-vinyl (Not available with LPO floor liners.)

Steering wheel, urethane

Steering column, Tilt-Wheel, manual with wheel locking security feature

Instrument cluster, 6-gauge cluster featuring speedometer, fuel level, engine temperature, tachometer, voltage and oil pressure

Driver Information Center, 3.5" diagonal monochromatic display

Exterior Temperature Display located in radio display

Rear Seat Reminder (Requires Crew Cab or Double Cab model.)

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Alan Jay Fleet Sales

Chris Wilson | (863)402-4234 | chris.wilson@alanjay.com

Vehicle: [Fleet] 2021 Chevrolet Silverado 1500 (CC10543) 2WD Crew Cab 147" Work Truck (✔ Complete)

Interior

Window, power front, drivers express up/down (Standard on Crew Cab and Double Cab models.)

Window, power front, passenger express down (Standard on Crew Cab and Double Cab models.)

Windows, power rear, express down (Not available with Regular Cab models.)

Door locks, power (Standard on Crew Cab and Double Cab models.)

Power outlet, front auxiliary, 12-volt

USB ports, 2 (first row) located on instrument panel

Air conditioning, single-zone

Air vents, rear, heating/cooling (Not available on Regular Cab models.)

Mirror, inside rearview, manual tilt

Assist handles front A-pillar mounted for driver and passenger, rear B-pillar mounted

Safety-Mechanical

StabiliTrak, stability control system with Proactive Roll Avoidance and traction control, includes electronic trailer sway control and hill start assist

Safety-Exterior

Daytime Running Lamps with automatic exterior lamp control

Safety-Interior

Airbags, dual-stage frontal airbags for driver and front outboard passenger; Seat-mounted side-impact airbags for driver and front outboard passenger; Head-curtain airbags for front and rear outboard seating positions; Includes front outboard Passenger Sensing System for frontal outboard passenger airbag (Always use seat belts and child restraints. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)

Rear Vision Camera

Teen Driver a configurable feature that lets you activate customizable vehicle settings associated with a key fob, to help encourage safe driving behavior. It can limit certain available vehicle features, and it prevents certain safety systems from being turned off. An in-vehicle report card gives you information on driving habits and helps you to continue to coach your new driver

Tire Pressure Monitoring System with Tire Fill Alert (does not apply to spare tire)

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Vehicle: [Fleet] 2021 Chevrolet Silverado 1500 (CC10543) 2WD Crew Cab 147" Work Truck (✔ Complete)

WARRANTY

Warranty Note: <<< Preliminary 2021 Warranty >>>

Basic Years: 3

Basic Miles/km: 36,000

Drivetrain Years: 5

Drivetrain Miles/km: 60,000

Drivetrain Note: HD Duramax Diesel: 5 Years/100,000 Miles; Qualified Fleet Purchases: 5 Years/100,000 Miles

Corrosion Years (Rust-Through): 6

Corrosion Years: 3

Corrosion Miles/km (Rust-Through): 100,000

Corrosion Miles/km: 36,000

Roadside Assistance Years: 5

Roadside Assistance Miles/km: 60,000

Roadside Assistance Note: HD Duramax Diesel: 5 Years/100,000 Miles; Qualified Fleet Purchases: 5 Years/100,000 Miles

Maintenance Note: 1 Year/1 Visit

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October 7, 2020

**City of Fruitland Park
Laurie Davis**

DESCRIPTION		
X1C	2020 F-150 4x2 Crew Cab Styleside 5.5' box 145" WB XL	
99B	3.3L V6 PFDI Engine	
446	Electronic 6- Speed Automatic	
101A	Equipment Package Includes: Auto start-stop technology and flex-fuel capability, 3.73 Axle Ratio, P265/70R17 OWL A/T Tires, 17" Silver Steel Wheels, AM/FM Stereo w/6 Speakers, XL Power Equipment Group, Power Glass Sideview Mirrors w/Black Skull Caps Includes manual-folding, Illuminated Entry, MyKey, Perimeter Alarm, Power Door Locks Includes flip key and integrated key transmitter keyless-entry (includes Autolock), Power Tailgate Lock, Power Front & Rear Windows, 4.2" Productivity Screen in Instrument Cluster Includes compass, FordPass Connect 4G Wi-Fi Modem Includes 4G LTE Wi-Fi hotspot connects up to 10 devices, remotely start, lock and unlock vehicle, schedule specific times to remotely start vehicle, locate parked vehicle and check vehicle status. Note: Ford Telematics and Data Services Prep included for Fleet Only: FordPass Connect 4G Wi-Fi Modem provides data to support telematics and data services including but not limited to vehicle location, speed, idle time, fuel, vehicle diagnostics and maintenance alerts. Device enables telematics services through Ford or authorized providers. Activate at www.fleet.ford.com or call 833-FCS-FORD or 833-327-3673. Includes a complimentary trial subscription of 3 months or 3 gigabytes whichever comes first, wireless service plan required after trial subscription ends. Visit att.com/ford to start complimentary trial and sign up for a wireless service plan, SYNC Includes enhanced voice recognition communications and entertainment system, 911 assist, 4.2" LCD display in center stack, Applink and 1 smart charging USB port, Cruise Control	
53B	Class IV Trailer Hitch Receiver	
86A	XL Chrome Appearance Package	
WG	40/CONSOLE/40 Cloth Seat	
	Factory Invoice	\$37,674.48
	Government Price Concession Discount	\$9,200.00
	4.06% Contract Discount	\$1,156.06
	Spray In Bedliner, 50" Amber Lightbar, 4 Corner LED's <i>Yes Approx. \$650.00</i>	\$2,573.00
	<i>↓ Don't Need ↓ Don't need</i>	\$0.00
		\$0.00
TOTAL PURCHASE AMOUNT PER UNIT		\$29,891.42

Pricing in accordance with the Charlotte County contract # 2018000509

If you have any questions or need any additional information please feel free contact me anytime.

Sincerely Yours,
Richard Weissinger
Commercial Fleet Sales
Direct Line (813) 477-0052
Fax (863) 533-8485



PROPOSAL

NAME	CITY OF FRUITLAND PARK
EMAIL	LDAVIS@FRUITLAND.ORG
ATTN	LAURIE DAVIS

DATE 9-30-20

2020 FORD F-150 XL CREW CAB (W1C) 145WB	23740
(99B) 3.3L V6 ENGINE	
(446) 6 SPD AUTOMATIC TRANSMISSION	
(101A) XL EQUIPMENT GROUP -POWER WINDOWS/LOCKS/CRUISE	2479
(X19) 3.55 RATIO REGULAR REAR AXLE	
(53B) CLASS IV TRAILER HITCH	149
(86A) XL CHROME APPEARANCE PACKAGE	774
CHROME FRONT/REAR BUMPERS	
FOG LAMPS 17" SILVER PAINTED ALUMINUM RIMS	
(52P) SYNC (HANDS FREE BLUETOOTH PHONE SYSTEM)	419
(OSF) OUT OF DEALER STOCK FEE CHARGE	799
2 REMOTE KEYLESS ENTRY FOBS AND KEYS	
TOTAL	28360
WHITE EXTERIOR	
DARK GREY VINYL INTERIOR	
PER FSA 19-VEL27.0 ITEM 120	
DELIVERY IS 15 TO 30 DAYS	

☆ No lights
 ☆ No laptop stand

PURCHASER ACKNOWLEDGES:
 PRESTIGE FORD IS UNABLE TO GUARANTEE DELIVERY DATES DUE TO MANY FACTORS, NOT LIMITED TO BUT INCLUDING: FORD MOTOR COMPANY PRODUCTION SCHEDULES, WEATHER, AVAILABILITY OF RAIL CARS, ETC.

ALL PAYMENTS ARE DUE ON A NET 30 DAY BASIS UPON RECEIPT OF EACH VEHICLE AS INVOICED REGARDLESS OF THE NUMBER OF VEHICLES ON THE PURCHASE ORDER.

We thank you for the opportunity to make this proposal and will appreciate your acceptance. Acceptance of this proposal will not be binding upon us until this proposal is approved here on in writing by an official of Prestige Ford, Inc. Return of one copy of this proposal and your purchase order number constitutes your official acceptance.

Please return this form via Fax: (352) 357-2939 or email – GMAHONEY@THEFORDPROS.COM ACCEPTED: _____ PO# _____
--

Respectfully submitted,
 GLENN MAHONEY
 FLEET MANAGER
 PRESTIGE FORD

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6d**

ITEM TITLE:	First Reading and Public Hearing - Ordinance 2020-013 Election
For the Meeting of:	October 22, 2020
Submitted by:	City Attorney
Date Submitted:	October 14, 2020
Funds Required:	None
Account Number:	
Amount Required:	
Balance Remaining:	
Attachments:	Proposed ordinance
Item Description:	Ordinance 2020-013 Election
Action to be Taken:	Approve Ordinance 2020-013
Staff's Recommendation:	Approval
Additional Comments:	None
City Manager Review:	Yes
Mayor Authorization:	Yes

ORDINANCE 2020-013

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES RELATING TO ELECTIONS; REPEALING PROVISIONS NO LONGER APPLICABLE; AMENDING PROVISIONS TO COMPLY WITH FLORIDA LAW; PROVIDING FOR INCLUSION IN THE CODE, SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, provisions within Chapter 34 of the Code of Ordinances entitled Elections are no longer applicable as the Lake County Supervisor of Elections administers City elections and therefore the City desires to amend the code; and

WHEREAS, the Florida Election Code, chapters 97-106, govern the City’s elections in the absence of an applicable special act, charter or ordinance provision compliance with the Election Code; and

WHEREAS, the City Commission desires to amend and restate Chapter 34 to repeal inapplicable provisions and amend provisions to comply with state law.

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. Ch. 34 – Elections. Chapter 34. – Elections of the Code of Ordinances of the City of Fruitland Park, Florida, is hereby amended to read as follows:

CHAPTER 34. - ELECTIONS

~~QUALIFYING AS CANDIDATE FOR MAYOR OR CITY COMMISSIONER~~

Sec. 34.01. - Notice of candidacy, oath required.

Any person who is qualified to be a mayor or member of the city commission in accordance with its Charter and the laws of the state may be a candidate for that office when: a) the office is vacant; b) the incumbent has delivered to the city commission written notice of resignation effective on or before a subsequent election; or c) the office is to be vacated by expiration of an incumbent's term of office and is to be filled by an election, by filing a notice of candidacy and by filing, after taking and subscribing to the oath required by F.S. § 99.021, during normal office hours held by the city clerk beginning at noon on the first Monday after the second Sunday of July and ending at noon on the Friday following the third Sunday of July prior to the city's November election.

Sec. 34.02. - Filing notice of candidacy and oath.

Both the notice of candidacy and the oath prescribed by F.S. § 99.021 shall be filed with the city clerk at the city hall within the prescribed period of time.

Sec. 34.03. - Name on ballot.

The person filing as set forth in this chapter, if otherwise found to be qualified, shall be entitled to have his name printed upon the official ballot at the election.

~~Sec. 34.04. - Form of notice of candidacy.~~

~~The notice of candidacy shall be in the following form:~~

~~NOTICE OF CANDIDACY FOR THE OFFICE OF _____ (Write in "mayor" or "city commissioner")~~

~~FORMERLY HELD BY _____ (State the name of the incumbent or previous person holding the office if the office is vacant)~~

~~I, _____ (Name of Candidate) residing at _____ (Residence Address of Candidate), Fruitland Park, Florida, _____ (Zip Code), do hereby give notice of my candidacy for the office of _____ (mayor or city commissioner) of the City of Fruitland Park, Florida now held or formerly held by _____ (State the name of incumbent or previous person holding the office) in the forthcoming election to be held in said City on _____ (Date of Election).~~

~~_____
(Candidate's Signature)~~

~~Before me, the undersigned authority, this day personally appeared _____ (Name of candidate), who upon first being duly sworn, deposes and says that (s)he is the candidate referred to in the foregoing notice; that (s)he is familiar with the contents of said notice and that the facts and matters therein stated are true; and that (s)he did sign notice for the purpose therein specified.~~

~~_____
(Candidate)~~

~~Sworn to and subscribed before me, this the _____ day of _____, A.D. 19_____.~~

~~_____
Notary Public~~

~~My commission Expires:~~

~~CONDUCT OF ELECTIONS~~

~~Sec. 34.15. - Opening of polls.~~

~~The polls at every municipal election shall be opened and closed in accordance with F.S. § 100.011.~~

~~Sec. 34.16. Grouping of candidates on ballot.~~

~~(A) When the office of two or more commissioners are to be filled in the same election, the names of the candidates shall be placed or printed upon the ballot or voting machine in groups; that is, if two or more members of the commission are to be elected, then the candidates' names shall be placed or printed on the ballot or voting machines in groups.~~

~~(B) The title of the office shall be printed over each numbered group, and each numbered group shall be clearly separated from the next numbered group so as to emphasize the necessity for voting for one candidate in each numbered group.~~

~~(C) The candidates shall appear on the ballot in alphabetical order in accordance with the first letter of their last names. Further, their names shall be grouped in accordance with the name indicated as the incumbent or previous person holding the office, if the office is vacant, on each candidate's notice of candidacy.~~

~~(D) The groups will be assigned consecutive numbers beginning with one and an ascending order of numbers shall be assigned in accordance with the alphabetical order of the first letter of the last name of the incumbent commissioner or previous person holding the office if the office is vacant.~~

~~Sec. 34.17 Sec. 34-04. - Necessary arrangements for holding elections to be made by city commission.~~

The city commission shall make all necessary arrangements for holding all city elections which may include contracting with the county supervisor of elections office to conduct municipal elections. , and shall declare the result thereof.

~~Sec. 34.18. Appointment of inspectors.~~

~~The city commission shall appoint not less than three inspectors and a clerk to each election board, except that, if the commission shall fail to appoint them at least two days before the date of any election, the mayor may appoint them.~~

~~Sec. 34.19 Sec. 34.05. - Calling for an election; notice to be published.~~

The city commission shall adopt a resolution calling any election, stating therein where the same shall be held, and naming the different offices to be filled or questions to be decided. The notice of election shall be published once each week for two consecutive weeks preceding the day of election in a newspaper published in the county, the second publication to be not less than five days prior to that election.

~~Sec. 34.20. Canvass of returns.~~

~~The result of the voting at each polling place, when ascertained, shall be certified by return in duplicate, signed by the clerk and majority of the inspectors of election, one copy being delivery by the clerk and inspectors to the major and the other to the city clerk. The city commission and city clerk shall serve as the canvassing board for the city and shall canvass the election returns and declare the results of any city election, regular or special, at a meeting to be held not later than one week following such election. Those declared elected will be inducted into office at that time. The results of the election shall be entered into the minutes of the meeting.~~

~~Sec. 34.21~~ Sec. 34-06. - Early voting opt out provision.

The City of Fruitland Park hereby exercises its right to exempt itself from the provisions of F.S. § 101.657, and shall contract with the Lake County Supervisor of Elections to conduct early voting for the City of Fruitland Park at the Lake County Supervisor of Elections Office.

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; or if this Ordinance or any provisions thereof shall be held inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holding shall not effect the applicability thereof to any other person, property or circumstances.

Section 5. Conflicts. That all ordinances or parts of ordinances in conflict herewith are hereby repealed. Sections 34.04, 34.15, 34.16, 34.18, and 34.20 in effect prior to adoption of this ordinance are repealed.

Section 6. Effective Date. This ordinance shall become effective as provided for by law.

PASSED and ORDAINED this _____ day of _____, 2020, by the City Commission of the City of Fruitland Park, Florida.

Chris Cheshire, Mayor

Attest:

Esther B. Coulson, City Clerk, MMC

Mayor Cheshire _____(Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter _____(Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell _____(Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner DeGrave _____(Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian _____(Yes), _____ (No), _____ (Abstained), _____ (Absent)

First Reading _____

Second Reading _____

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6e**

ITEM TITLE: First Reading and Public Hearing –
Ordinance 2020-011 Solid Waste Increase

For the Meeting of: October 22, 2020

Submitted by: City Treasurer

Date Submitted: October 5, 2020

Funds Required: N/A

Attachments: Proposed Ordinance 2020-011 and Waste
Management Rates

Item Description: Proposed Ordinance 2020-011 solid waste increases solid waste collections and recycling to two percent effective January 1, 2021 according to the contract which allows an annual increase each January.

Action to be Taken: Approve Ordinance 2020-011

Staff's Recommendation: Approval

Additional Comments: Yes

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE 2020-011

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 99.40 TO INCREASE THE SOLID WASTE RATES BY 2% WITH RATES EFFECTIVE AS OF JANUARY 1, 2021; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park through a waste management company provides solid waste and recycling services to customers within the City of Fruitland Park; and

WHEREAS, the City of Fruitland Park charges its customers a rate for providing such service; and

WHEREAS, the City of Fruitland Park's contract with the waste management company allows for an annual increase each January and the city has been notified that the rates will increase 2%; and

WHEREAS, the City Commission of the City of Fruitland Park, Lake County, Florida hereby finds and declares that the increased rates should be passed on to those who receive such services, and that 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 CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AS FOLLOWS:

Section 1. Recitals.

The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this ordinance.

Section 2. Refuse Collection Fees.

That Section Sec. 99.40 in Chapter 99, of the Fruitland Park Code of Ordinances is hereby amended to read as follows:

Sec. 99.40. Refuse collection fees.

- (A) The city clerk is authorized to charge a fee for refuse collection as set forth in division (B) below.
- (B) The refuse collection services for which the city clerk shall charge a fee and the amount of fee for each service are as follows:
 - (1) Residential collection, monthly fee.
 - (a) *Manual curbside pickup:*

	NUMBER OF 32 GALLON CONTAINERS
TWICE WEEKLY COLLECTION	1 through 6
	\$19.44 \$19.68

(b) *Mechanical containerized service:* Shall be the same as the commercial containerized service fees set forth below except that the disposal component of the fee shall be those disposal fees for residential service established by Lake County multiplied by the residential units.

(2) Commercial collection, monthly fee.

(a) *Manual curbside pickup:*

	NUMBER OF 32 GALLON CONTAINERS
NUMBER OF WEEKLY COLLECTIONS	1 through 6
	1 \$20.31 \$20.47
	2 \$22.26 \$22.44

(b) *Mechanical containerized service:*

Commercial Collection

Mechanical Containerized Service

# OF WKLY COLLECTIONS	SIZE OF CONTAINER IN CUBIC YARDS			
	2	4	6	8
1	\$85.47 \$86.28	\$161.90 \$163.40	\$232.52 \$234.61	\$285.79 \$288.11
2	\$167.70 \$169.33	\$320.53 \$323.54	\$461.86 \$466.04	\$568.33 \$572.97
3	\$249.94 \$252.39	\$479.20 \$483.72	\$691.14 \$697.40	\$850.88 \$857.83
4	\$332.16 \$335.40	\$637.85 \$643.88	\$920.44 \$928.78	\$1133.01 \$1142.28
5	\$414.37 \$418.44	\$796.52 \$804.04	\$1149.73 \$1160.16	\$1415.94 \$1427.53
6	\$496.62 \$501.49	\$955.15 \$964.19	\$1379.00 \$1391.52	\$1698.48 \$1712.39

(3) Reserved.

(4) The fee for any refuse collection service not specifically set forth above shall be determined by negotiation between the city, the hauler, and the customer.

However, in the event that a fee cannot be agreed upon, the city manager shall set the fee.

- (C) The fees charged pursuant to this section shall be charged only for those refuse collection services provided under Chapter 98 of this Code. For purposes of this section, users of the city's water system shall be considered receivers of the city's refuse service.
- (D) The fee charged for refuse collection shall be charged monthly.
- (E) Failure by any person or business entity to remit a fee charged pursuant to this section shall result in any or all of the following:
 - (1) Discontinuance of refuse collection service;
 - (2) Discontinuance of water service;
 - (3) Institution of enforcement proceedings by the code enforcement officer;
 - (4) Institution of judicial enforcement and collection proceedings; or
 - (5) Any other enforcement and collection proceedings deemed necessary by the city manager.
- (F) Any person or business entity desiring to challenge an amount charged pursuant to this section shall request a hearing with the city manager regarding the disputed amount. Upon a request for hearing pursuant to this division, the city manager shall schedule a hearing with the complainant. Upon the conclusion of the hearing, the city manager shall have the authority to make any adjustment to the amount in dispute that he deems necessary.

Section 3. Conflicts And Ordinances Repealed.

All ordinances or parts of ordinances in conflict are hereby repealed.

Section 4. Severability.

If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

Section 5. Codification.

It is the intent of the City Commission of the City of Fruitland Park that the provisions of this chapter shall become and made a part of the Fruitland Park Code of Ordinances; and grants authority to the codifier to renumber or re-letter sections, and change the words in this ordinance to section, article, chapter or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. Effective Date.

This Ordinance shall become effective immediately upon adoption; however, the refuse collect rate adjustments shall be implemented January 1, 2021.

PASSED AND DULY ADOPTED by the City of Fruitland Park, Lake County, Florida this _____ 2020.

City of Fruitland Park

Chris Cheshire, Mayor

Attest:
Esther B. Coulson, City Clerk, MMC

_____ Mayor Cheshire	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Vice Mayor Gunter	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Bell	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner DeGrave	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Mobilian	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

First Reading: _____

Second Reading _____

Exhibit "B"

City of Fruitland Park Collection and Disposal Rates

Effective 01/01/21-12/31/21

Residential Services Based on \$40/ton disposal for 2x week garbage/yardwaste/1x week Recycling

Garbage Collection	Disposal	Curbside Recycling	Rate Per Month
\$ 8.42	\$ 3.90	\$ 2.63	\$ 14.95

Commercial Handstops

	Garbage Collection	Disposal	Rate Per Month
Commercial curb 1x week	\$ 7.23	\$ 8.44	\$ 15.67
Commercial curb 2x week	\$ 8.51	\$ 8.95	\$ 17.46

Commercial Dumpsters (Rate/month)

Qty/Size/Frequency	Garbage Coll.	Garbage Disp.	Coll./Disp
1-2yd X 1 WEEK	\$ 37.63	\$ 37.87	\$ 75.50
1-2yd X 2 WEEK	\$ 75.26	\$ 75.74	\$ 151.00
1-2yd X 3 WEEK	\$ 112.90	\$ 113.60	\$ 226.50
1-2yd X 4 WEEK	\$ 150.50	\$ 151.47	\$ 301.97
1-2yd X 5 WEEK	\$ 188.13	\$ 189.33	\$ 377.46
1-2yd X 6 WEEK	\$ 225.76	\$ 227.20	\$ 452.96
1-4yd X 1 WEEK	\$ 69.87	\$ 75.74	\$ 145.61
1-4yd X 2 WEEK	\$ 139.71	\$ 151.48	\$ 291.19
1-4yd X 3 WEEK	\$ 209.60	\$ 227.21	\$ 436.81
1-4yd X 4 WEEK	\$ 279.44	\$ 302.97	\$ 582.41
1-4yd X 5 WEEK	\$ 349.30	\$ 378.71	\$ 728.01
1-4yd X 6 WEEK	\$ 419.15	\$ 454.45	\$ 873.60
1-6yd X 1 WEEK	\$ 96.73	\$ 113.61	\$ 210.34
1-6yd X 2 WEEK	\$ 193.51	\$ 227.22	\$ 420.73
1-6yd X 3 WEEK	\$ 290.22	\$ 340.84	\$ 631.06
1-6yd X 4 WEEK	\$ 386.97	\$ 454.44	\$ 841.41
1-6yd X 5 WEEK	\$ 483.71	\$ 568.04	\$ 1,051.75
1-6yd X 6 WEEK	\$ 580.43	\$ 681.65	\$ 1,262.08
1-8yd X 1 WEEK	\$ 107.51	\$ 151.48	\$ 258.99
1-8yd X 2 WEEK	\$ 214.98	\$ 302.96	\$ 517.94
1-8yd X 3 WEEK	\$ 322.47	\$ 454.44	\$ 776.91
1-8yd X 4 WEEK	\$ 429.93	\$ 605.55	\$ 1,035.48
1-8yd X 5 WEEK	\$ 537.44	\$ 757.38	\$ 1,294.82
1-8yd X 6 WEEK	\$ 644.93	\$ 908.85	\$ 1,553.78

Fruitland Park Term and PI Language:

February 1, 2016

Effective 01/01/20-12/31/20

1. Section 4 Term is amended to read as follows:

- a. The term of this Agreement shall end on September 30, 2021; provided, however, the City reserves the right to terminate the same prior thereto if the Collector defaults in any one of the material terms and conditions herein specified and does not cure same within the time specified.
- b. The term of this Agreement may be extended for additional terms if the City and Collector consent in writing not less than ninety (90) days prior to the expiration of each term.

5 Section 16 is deleted and replaced with the following:

Commencing January 1, 2017 and each January 1 thereafter, the fees or compensation payable to Collector shall be increased by two percent (2%).
Collector shall provide the City with a revised Exhibit B incorporating the adjusted rates.

Waste Mgt Collection Disposal Rates

Jan 2021

RATE	(R)RE		FY 20 GB	New Rate	GB	YDWS	YDWS	CURB	FP	FP		IND AMT	Last Year	Difference	
CODE	(C)CO	DESC	COLL	FY21 2%	DISP	COLL 2%	DISP	RECYC 2%	ADMIN	FF		BILLED	3.90	FY2020	
SWR001	R	Residential	6.33	6.45	3.23	1.97	0.67	2.63	2.94	1.79		19.68	8.42	19.44	0.24
														FY2020	
SWC002	C	Commercial curb 1x week	7.09	7.23	8.44				2.94	1.86		20.47		20.31	0.16
SWC001	C	Commercial curb 2x week	8.34	8.51	8.95				2.94	2.04		22.44		22.26	0.18
SWC003	C	1-2yd X 1 WEEK	36.89	37.63	37.87				2.94	7.84		86.28		85.47	0.81
SWC004	C	1-2yd X 2 WEEK	73.77	75.26	75.74				2.94	15.39		169.33		167.70	1.63
SWC037	C	1-2yd X 3 WEEK	110.68	112.90	113.60				2.94	22.94		252.39		249.94	2.45
	C	1-2yd X 4 WEEK	147.55	150.50	151.47				2.94	30.49		335.40		332.16	3.25
		1-2yd X 5 WEEK	184.43	188.13	189.33				2.94	38.04		418.44		414.37	4.07
		1-2yd X 6 WEEK	221.33	225.76	227.20				2.94	45.59		501.49		496.62	4.87
SWC005	C	1-4yd X 1 WEEK	68.50	69.87	75.74				2.94	14.85		163.40		161.90	1.51
SWC006	C	1-4yd X 2 WEEK	136.97	139.71	151.48				2.94	29.41		323.54		320.53	3.01
SWC020	C	1-4yd X 3 WEEK	205.49	209.60	227.21				2.94	43.97		483.72		479.20	4.52
	C	1-4yd X 4 WEEK	273.96	279.44	302.97				2.94	58.53		643.88		637.85	6.03
		1-4yd X 5 WEEK	342.46	349.30	378.71				2.94	73.09		804.04		796.52	7.52
		1-4yd X 6 WEEK	410.93	419.15	454.45				2.94	87.65		964.19		955.15	9.04
SWC008	C	1-6yd X 1 WEEK	94.83	96.73	113.61				2.94	21.33		234.61		232.52	2.09
SWC009	C	1-6yd X 2 WEEK	189.72	193.51	227.22				2.94	42.37		466.04		461.86	4.17
SWC022	C	1-6yd X 3 WEEK	284.53	290.22	340.84				2.94	63.40		697.40		691.14	6.26
	C	1-6yd X 4 WEEK	379.38	386.97	454.44				2.94	84.43		928.78		920.44	8.35
		1-6yd X 5 WEEK	474.22	483.71	568.04				2.94	105.47		1,160.16		1,149.73	10.43
		1-6yd X 6 WEEK	569.05	580.43	681.65				2.94	126.50		1,391.52		1,379.00	12.52
SWC011	C	1-8yd X 1 WEEK	105.39	107.50	151.48				2.94	26.19		288.11		285.79	2.32
SWC012	C	1-8yd X 2 WEEK	210.76	214.98	302.96				2.94	52.09		572.97		568.33	4.64
SWC018	C	1-8yd X 3 WEEK	316.15	322.47	454.44				2.94	77.98		857.83		850.88	6.96
	C	1-8yd X 4 WEEK	421.52	429.95	605.55				2.94	103.84		1,142.28		1,133.01	9.27
		1-8yd X 5 WEEK	526.90	537.44	757.38				2.94	129.78		1,427.53		1,415.94	11.59
	C	1-8yd X 6 WEEK	632.28	644.93	908.85				2.94	155.67		1,712.39		1,698.48	13.91
SWC007		2-4yd X 1 WEEK	137.00	139.74	151.48				2.94	29.42		323.58		320.56	3.01
SWC010		2-6yd X 2 WEEK	379.43	387.02	454.44				2.94	84.44		928.84		920.50	8.35
SWC013		2-6yd X 1 WEEK	189.66	193.46	227.22				2.94	42.36		465.98		461.81	4.17
SWC014		2-8yd X 1 WEEK	210.79	215.00	302.96				2.94	52.09		572.99		568.35	4.64
SWC015		1-2ydX 1 WK, 2-4ydX 2 WK	310.83	317.05	340.83				2.94	66.08		726.90		720.06	6.84
SWC016		8ydX3 WK & CC X 1 WK	323.23	329.70	462.88				2.94	79.55		875.07		867.96	7.11
SWC017		1-2yd 1-4yd X 1 WEEK	105.39	107.50	113.61				2.94	22.41		246.46		244.14	2.32
SWC019		2-8yd & 4yd X 1 WEEK	279.28	284.87	378.70				2.94	66.65		733.16		727.02	6.14

Waste Mgt Collection Disposal Rates
Jan 2021

RATE	(R)RE		FY 20 GB	New Rate	GB	YDWS	YDWS	CURB	FP	FP		IND AMT	Last Year	Difference	
CODE	(C)CO	DESC	COLL	FY21 2%	DISP	COLL 2%	DISP	RECYC 2%	ADMIN	FF		BILLED	3.90	FY2020	
SWC021		2-2yd X 1 WK, 1-2yd X 2 WK	147.56	150.52	151.48				2.94	30.49		335.44		332.18	3.26
SWC023		2-4yd X 2 WEEK	273.94	279.42	302.96				2.94	58.53		643.85		637.82	6.03
SWC024		2-2yd X 2 WEEK	147.55	150.52	151.48				2.94	30.49		335.43		332.17	3.27
SWC025		8yd X 4 WK & CC X 1 wk	428.60	437.18	613.99				2.94	105.41		1,159.52		1,150.09	9.43
SWC026		2yd & 4yd X 2 Week	210.74	214.97	227.22				2.94	44.51		489.64		484.99	4.65
SWC027		8yd X 5 WK & CC X 1WK	533.99	544.67	765.82				2.94	131.34		1,444.77		1,433.02	11.75
SWC028		2-8yd x 2	421.53	429.96	605.92				2.94	103.88		1,142.70		1,133.43	9.27
SWC029		2-2yd X 1 WEEK	73.79	75.26	75.74				2.94	15.39		169.33		167.71	1.62
SWC030		3-2yd X 1 WEEK	110.68	112.89	113.61				2.94	22.94		252.39		249.95	2.43
SWC031		2-4yd 4-RES	165.34	168.65	185.24	7.87	2.68	10.53	2.94	37.79		415.70		411.66	4.04
SWC032		3-8yd X 2 WEEK	632.29	644.94	908.88				2.94	155.68		1,712.43		1,698.52	13.91
SWC033		2-CC X 2 WEEK	16.69	17.02	17.90				2.94	3.79		41.65		41.28	0.37
SWC034		2 yd & 6yd X 1	131.73	134.36	151.48				2.94	28.88		317.66		314.76	2.90
SWC035		6yd X 3 & CC X 1	291.61	297.45	349.28				2.94	64.97		714.63		708.22	6.42
SWC036		6yd X 5 WK & CC X 1 WK	481.31	490.94	576.48				2.94	107.04		1,177.39		1,166.80	10.59
SWR003		RES/STP/MLTP	7.38	7.52	8.44				2.94	1.89		20.79		20.63	0.16

Waste Mgt Collection Disposal Rates

Feb 2016

RATE	(R)RE		GB	GB	YDWS	YDWS	CURB	FP	FP	
CODE	(C)CO	DESC	COLL	DISP	COLL	DISP	RECYC	ADMIN	FF	
SWR001	R	Residential	5.84	3.23	1.78	0.67	2.38	2.94	1.68	
SWC002	C	Commercial curb 1x week	6.55	8.44				2.94	1.79	
SWC001	C	Commercial curb 2x week	7.71	8.95				2.94	1.96	
SWC003	C	1-2y X 1 WEEK	34.08	37.87				2.94	7.49	
SWC004	C	1-2y X 2 WEEK	68.16	75.74				2.94	14.68	
SWC037	C	1-2y X 3 WEEK	102.25	113.60				2.94	21.88	
SWC021	C	1-2y X 4 WEEK	136.31	151.47				2.94	29.07	
		1-2y X 5 WEEK	170.38	189.33				2.94	36.27	
		1-2y X 6 WEEK	204.48	227.20				2.94	43.46	
SWC005	C	1-4yd X 1 WEEK	63.28	75.74				2.94	14.20	
SWC006	C	1-4yd X 2 WEEK	126.54	151.48				2.94	28.10	
SWC020	C	1-4yd X 3 WEEK	189.84	227.21				2.94	42.00	
SWC023	C	1-4yd X 4 WEEK	253.10	302.97				2.94	55.90	
		1-4yd X 5 WEEK	316.38	378.71				2.94	69.80	
		1-4yd X 6 WEEK	379.64	454.45				2.94	83.70	
SWC008	C	1-6yd X 1 WEEK	87.61	113.61				2.94	20.42	
SWC009	C	1-6yd X 2 WEEK	175.26	227.22				2.94	40.54	
SWC022	C	1-6yd X 3 WEEK	262.86	340.84				2.94	60.66	
SWC010	C	1-6yd X 4 WEEK	350.49	454.44				2.94	80.79	
		1-6yd X 5 WEEK	438.11	568.04				2.94	100.91	
		1-6yd X 6 WEEK	525.72	681.65				2.94	121.03	
SWC011	C	1-8yd X 1 WEEK	97.36	151.48				2.94	25.18	
SWC012	C	1-8yd X 2 WEEK	194.72	302.96				2.94	50.06	
SWC018	C	1-8yd X 3 WEEK	292.07	454.44				2.94	74.95	
SWC028	C	1-8yd X 4 WEEK	389.41	605.55				2.94	99.79	
		1-8yd X 5 WEEK	486.77	757.38				2.94	124.71	
SWC032	C	1-8yd X 6 WEEK	584.13	908.85				2.94	149.59	

Waste Mgt Collection Disposal Rates
Feb 2016

IND AMT
BILLED
18.52

19.72
21.56

82.38
161.52
240.67
319.79
398.92
478.08

156.16
309.06
461.99
614.91
767.83
920.73

224.58
445.96
667.30
888.66
1,110.00
1,331.34

276.96
550.68
824.40
1,097.69
1,371.80
1,645.51

Waste Mgt Collection Disposal Rates

Jan 2017

RATE	(R)RE		FY 16 GB	New Rate	GB	YDWS	YDWS	CURB	FP	FP		IND AMT
CODE	(C)CO	DESC	COLL	2%	DISP	COLL 2%	DISP	RECYC	ADMIN	FF		BILLED
SWR001	R	Residential	5.84	5.96	3.23	1.82	0.67	2.43	2.94	1.70		18.75
SWC002	C	Commercial curb 1x week	6.55	6.68	8.44				2.94	1.81		19.87
SWC001	C	Commercial curb 2x week	7.71	7.86	8.95				2.94	1.98		21.73
SWC003	C	1-2y X 1 WEEK	34.08	34.76	37.87				2.94	7.56		83.13
SWC004	C	1-2y X 2 WEEK	68.16	69.52	75.74				2.94	14.82		163.02
SWC037	C	1-2y X 3 WEEK	102.25	104.30	113.60				2.94	22.08		242.92
	C	1-2y X 4 WEEK	136.31	139.04	151.47				2.94	29.34		322.79
		1-2y X 5 WEEK	170.38	173.79	189.33				2.94	36.61		402.66
		1-2y X 6 WEEK	204.48	208.57	227.20				2.94	43.87		482.58
SWC005	C	1-4yd X 1 WEEK	63.28	64.55	75.74				2.94	14.32		157.55
SWC006	C	1-4yd X 2 WEEK	126.54	129.07	151.48				2.94	28.35		311.84
SWC020	C	1-4yd X 3 WEEK	189.84	193.64	227.21				2.94	42.38		466.17
	C	1-4yd X 4 WEEK	253.10	258.16	302.97				2.94	56.41		620.48
		1-4yd X 5 WEEK	316.38	322.71	378.71				2.94	70.44		774.79
		1-4yd X 6 WEEK	379.64	387.23	454.45				2.94	84.46		929.09
SWC008	C	1-6yd X 1 WEEK	87.61	89.36	113.61				2.94	20.59		226.50
SWC009	C	1-6yd X 2 WEEK	175.26	178.77	227.22				2.94	40.89		449.82
SWC022	C	1-6yd X 3 WEEK	262.86	268.12	340.84				2.94	61.19		673.09
	C	1-6yd X 4 WEEK	350.49	357.50	454.44				2.94	81.49		896.37
		1-6yd X 5 WEEK	438.11	446.87	568.04				2.94	101.79		1,119.64
		1-6yd X 6 WEEK	525.72	536.23	681.65				2.94	122.08		1,342.91
SWC011	C	1-8yd X 1 WEEK	97.36	99.31	151.48				2.94	25.37		279.10
SWC012	C	1-8yd X 2 WEEK	194.72	198.61	302.96				2.94	50.45		554.97
SWC018	C	1-8yd X 3 WEEK	292.07	297.91	454.44				2.94	75.53		830.82
	C	1-8yd X 4 WEEK	389.41	397.20	605.55				2.94	100.57		1,106.26
		1-8yd X 5 WEEK	486.77	496.51	757.38				2.94	125.68		1,382.51
	C	1-8yd X 6 WEEK	584.13	595.81	908.85				2.94	150.76		1,658.36

Waste Mgt Collection Disposal Rates

Jan 2018

RATE	(R)RE		FY 17 GB	New Rate	GB	YDWS	YDWS	CURB	FP	FP		IND AMT
CODE	(C)CO	DESC	COLL	FY18 2%	DISP	COLL 2%	DISP	RECYC 2%	ADMIN	FF		BILLED
SWR001	R	Residential	5.96	6.08	3.23	1.85	0.67	2.48	2.94	1.72		18.98
SWC002	C	Commercial curb 1x week	6.68	6.81	8.44				2.94	1.82		20.01
SWC001	C	Commercial curb 2x week	7.86	8.02	8.95				2.94	1.99		21.90
SWC003	C	1-2yd X 1 WEEK	34.76	35.46	37.87				2.94	7.63		83.89
SWC004	C	1-2yd X 2 WEEK	69.52	70.91	75.74				2.94	14.96		164.55
SWC037	C	1-2yd X 3 WEEK	104.30	106.38	113.60				2.94	22.29		245.21
	C	1-2yd X 4 WEEK	139.04	141.82	151.47				2.94	29.62		325.85
		1-2yd X 5 WEEK	173.79	177.27	189.33				2.94	36.95		406.49
		1-2yd X 6 WEEK	208.57	212.74	227.20				2.94	44.29		487.17
SWC005	C	1-4yd X 1 WEEK	64.55	65.84	75.74				2.94	14.45		158.97
SWC006	C	1-4yd X 2 WEEK	129.07	131.65	151.48				2.94	28.61		314.68
SWC020	C	1-4yd X 3 WEEK	193.64	197.51	227.21				2.94	42.77		470.43
	C	1-4yd X 4 WEEK	258.16	263.32	302.97				2.94	56.92		626.16
		1-4yd X 5 WEEK	322.71	329.16	378.71				2.94	71.08		781.89
		1-4yd X 6 WEEK	387.23	394.97	454.45				2.94	85.24		937.60
SWC008	C	1-6yd X 1 WEEK	89.36	91.15	113.61				2.94	20.77		228.47
SWC009	C	1-6yd X 2 WEEK	178.77	182.35	227.22				2.94	41.25		453.76
SWC022	C	1-6yd X 3 WEEK	268.12	273.48	340.84				2.94	61.73		678.99
	C	1-6yd X 4 WEEK	357.50	364.65	454.44				2.94	82.20		904.23
		1-6yd X 5 WEEK	446.87	455.81	568.04				2.94	102.68		1,129.47
		1-6yd X 6 WEEK	536.23	546.95	681.65				2.94	123.15		1,354.70
SWC011	C	1-8yd X 1 WEEK	99.31	101.30	151.48				2.94	25.57		281.29
SWC012	C	1-8yd X 2 WEEK	198.61	202.58	302.96				2.94	50.85		559.33
SWC018	C	1-8yd X 3 WEEK	297.91	303.87	454.44				2.94	76.12		837.37
	C	1-8yd X 4 WEEK	397.20	405.14	605.55				2.94	101.36		1,115.00
		1-8yd X 5 WEEK	496.51	506.44	757.38				2.94	126.68		1,393.43
	C	1-8yd X 6 WEEK	595.81	607.73	908.85				2.94	151.95		1,671.47

Waste Mgt Collection Disposal Rates

Jan 2018

RATE	(R)RE		FY 17 GB	New Rate	GB	YDWS	YDWS	CURB	FP	FP		IND AMT
CODE	(C)CO	DESC	COLL	FY18 2%	DISP	COLL 2%	DISP	RECYC 2%	ADMIN	FF		BILLED
SWC007		2-4yd X 1 WEEK	129.09	131.67	151.48				2.94	28.61		314.70
SWC010		2-6yd X 2 WEEK	357.54	364.69	454.44				2.94	82.21		904.28
SWC013		2-6yd X 1 WEEK	178.72	182.30	227.22				2.94	41.25		453.70
SWC014		2-8yd X 1 WEEK	198.62	202.59	302.96				2.94	50.85		559.34
SWC015		1-2ydX 1 WK, 2-4ydX 2 WK	292.90	298.76	340.83				2.94	64.25		706.78
SWC016		8ydX3 WK & CC X 1 WK	304.59	310.68	462.88				2.94	77.65		854.15
SWC017		1-2yd 1-4yd X 1 WEEK	99.31	101.29	113.61				2.94	21.78		239.63
SWC019		2-8yd & 4yd X 1 WEEK	263.17	268.43	378.70				2.94	65.01		715.08
SWC021		2-2yd X 1 WK, 1-2yd X 2 WK	139.05	141.83	151.48				2.94	29.62		325.87
SWC023		2-4yd X 2 WEEK	258.14	263.30	302.96				2.94	56.92		626.12
SWC024		2-2yd X 2 WEEK	139.05	141.83	151.48				2.94	29.62		325.87
SWC025		8yd X 4 WK & CC X 1 wk	403.88	411.96	613.99				2.94	102.89		1,131.78
SWC026		2yd & 4yd X 2 Week	198.59	202.57	227.22				2.94	43.27		476.00
SWC027		8yd X 5 WK & CC X 1WK	503.19	513.25	765.82				2.94	128.20		1,410.21
SWC028		2-8yd x 2	397.22	405.16	605.92				2.94	101.40		1,115.43
SWC029		2-2yd X 1 WEEK	69.52	70.91	75.74				2.94	14.96		164.55
SWC030		3-2yd X 1 WEEK	104.28	106.37	113.61				2.94	22.29		245.21
SWC031		2-4yd 4-RES	155.82	158.93	185.24	7.41	2.68	9.91	2.94	36.71		403.82
SWC032		3-8yd X 2 WEEK	595.83	607.75	908.88				2.94	151.96		1,671.52
SWC033		2-CC X 2 WEEK	15.73	16.04	17.90				2.94	3.69		40.57
SWC034		2 yd & 6yd X 1	124.12	126.61	151.48				2.94	28.10		309.13
SWC035		6yd X 3 & CC X 1	274.80	280.29	349.28				2.94	63.25		695.77
SWC036		6yd X 5 WK & CC X 1 WK	453.55	462.62	576.48				2.94	104.20		1,146.25
SWR003		RES/STP/MLTP	6.95	7.09	8.44				2.94	1.85		20.32

Waste Mgt Collection Disposal Rates
Jan 2019

RATE	(R)RE		FY 18 GB	New Rate	GB	YDWS	YDWS	CURB	FP	FP		IND AMT	Last Year	Difference	
CODE	(C)CO	DESC	COLL	FY19 2%	DISP	COLL 2%	DISP	RECYC 2%	ADMIN	FF		BILLED	3.90	FY2018	
SWR001	R	Residential	6.08	6.20	3.23	1.89	0.67	2.53	2.94	1.75		19.20	8.09	18.98	0.23
SWC002	C	Commercial curb 1x week	6.81	6.95	8.44				2.94	1.83		20.16		20.01	0.14
SWC001	C	Commercial curb 2x week	8.02	8.18	8.95				2.94	2.01		22.08		21.90	0.17
SWC003	C	1-2yd X 1 WEEK	35.46	36.17	37.87				2.94	7.70		84.68		83.89	0.78
SWC004	C	1-2yd X 2 WEEK	70.91	72.33	75.74				2.94	15.10		166.11		164.55	1.56
SWC037	C	1-2yd X 3 WEEK	106.38	108.51	113.60				2.94	22.50		247.55		245.21	2.34
	C	1-2yd X 4 WEEK	141.82	144.66	151.47				2.94	29.91		328.97		325.85	3.12
		1-2yd X 5 WEEK	177.27	180.82	189.33				2.94	37.31		410.39		406.49	3.90
		1-2yd X 6 WEEK	212.74	216.99	227.20				2.94	44.71		491.85		487.17	4.68
SWC005	C	1-4yd X 1 WEEK	65.84	67.16	75.74				2.94	14.58		160.42		158.97	1.45
SWC006	C	1-4yd X 2 WEEK	131.65	134.28	151.48				2.94	28.87		317.57		314.68	2.89
SWC020	C	1-4yd X 3 WEEK	197.51	201.46	227.21				2.94	43.16		474.77		470.43	4.35
	C	1-4yd X 4 WEEK	263.32	268.59	302.97				2.94	57.45		631.95		626.16	5.79
		1-4yd X 5 WEEK	329.16	335.74	378.71				2.94	71.74		789.13		781.89	7.24
		1-4yd X 6 WEEK	394.97	402.87	454.45				2.94	86.03		946.29		937.60	8.68
SWC008	C	1-6yd X 1 WEEK	91.15	92.97	113.61				2.94	20.95		230.48		228.47	2.01
SWC009	C	1-6yd X 2 WEEK	182.35	186.00	227.22				2.94	41.62		457.77		453.76	4.02
SWC022	C	1-6yd X 3 WEEK	273.48	278.95	340.84				2.94	62.27		685.00		678.99	6.02
	C	1-6yd X 4 WEEK	364.65	371.94	454.44				2.94	82.93		912.26		904.23	8.02
		1-6yd X 5 WEEK	455.81	464.93	568.04				2.94	103.59		1,139.50		1,129.47	10.03
		1-6yd X 6 WEEK	546.95	557.89	681.65				2.94	124.25		1,366.73		1,354.70	12.03
SWC011	C	1-8yd X 1 WEEK	101.30	103.33	151.48				2.94	25.77		283.52		281.29	2.23
SWC012	C	1-8yd X 2 WEEK	202.58	206.63	302.96				2.94	51.25		563.78		559.33	4.45
SWC018	C	1-8yd X 3 WEEK	303.87	309.95	454.44				2.94	76.73		844.06		837.37	6.69
	C	1-8yd X 4 WEEK	405.15	413.25	605.55				2.94	102.17		1,123.92		1,115.00	8.92
		1-8yd X 5 WEEK	506.44	516.57	757.38				2.94	127.69		1,404.58		1,393.43	11.15
	C	1-8yd X 6 WEEK	607.73	619.88	908.85				2.94	153.17		1,684.84		1,671.47	13.37
SWC007		2-4yd X 1 WEEK	131.68	134.31	151.48				2.94	28.87		317.61		314.70	2.90
SWC010		2-6yd X 2 WEEK	364.70	371.99	454.44				2.94	82.94		912.31		904.28	8.03
SWC013		2-6yd X 1 WEEK	182.30	185.95	227.22				2.94	41.61		457.72		453.70	4.01
SWC014		2-8yd X 1 WEEK	202.60	206.65	302.96				2.94	51.26		563.81		559.34	4.47
SWC015		1-2ydX 1 WK, 2-4ydX 2 WK	298.76	304.74	340.83				2.94	64.85		713.36		706.78	6.57
SWC016		8ydX3 WK & CC X 1 WK	310.68	316.89	462.88				2.94	78.27		860.98		854.15	6.83
SWC017		1-2yd 1-4yd X 1 WEEK	101.30	103.33	113.61				2.94	21.99		241.86		239.63	2.24
SWC019		2-8yd & 4yd X 1 WEEK	268.44	273.81	378.70				2.94	65.54		720.99		715.08	5.92

Waste Mgt Collection Disposal Rates
Jan 2019

RATE	(R)RE		FY 18 GB	New Rate	GB	YDWS	YDWS	CURB	FP	FP		IND AMT	Last Year	Difference	
CODE	(C)CO	DESC	COLL	FY19 2%	DISP	COLL 2%	DISP	RECYC 2%	ADMIN	FF		BILLED	3.90	FY2018	
SWC021		2-2yd X 1 WK, 1-2yd X 2 WK	141.83	144.67	151.48				2.94	29.91		329.00		325.87	3.12
SWC023		2-4yd X 2 WEEK	263.30	268.57	302.96				2.94	57.45		631.91		626.12	5.79
SWC024		2-2yd X 2 WEEK	141.82	144.66	151.48				2.94	29.91		328.98		325.87	3.11
SWC025		8yd X 4 WK & CC X 1 wk	411.96	420.20	613.99				2.94	103.71		1,140.84		1,131.78	9.07
SWC026		2yd & 4yd X 2 Week	202.56	206.61	227.22				2.94	43.68		480.45		476.00	4.45
SWC027		8yd X 5 WK & CC X 1WK	513.25	523.52	765.82				2.94	129.23		1,421.50		1,410.21	11.29
SWC028		2-8yd x 2	405.16	413.26	605.92				2.94	102.21		1,124.34		1,115.43	8.91
SWC029		2-2yd X 1 WEEK	70.92	72.34	75.74				2.94	15.10		166.12		164.55	1.57
SWC030		3-2yd X 1 WEEK	106.38	108.51	113.61				2.94	22.51		247.56		245.21	2.35
SWC031		2-4yd 4-RES	158.92	162.10	185.24	7.55	2.68	10.12	2.94	37.06		407.69		403.82	3.86
SWC032		3-8yd X 2 WEEK	607.74	619.89	908.88				2.94	153.17		1,684.89		1,671.52	13.36
SWC033		2-CC X 2 WEEK	16.04	16.36	17.90				2.94	3.72		40.92		40.57	0.35
SWC034		2 yd & 6yd X 1	126.61	129.14	151.48				2.94	28.36		311.92		309.13	2.79
SWC035		6yd X 3 & CC X 1	280.29	285.90	349.28				2.94	63.81		701.93		695.77	6.16
SWC036		6yd X 5 WK & CC X 1 WK	462.62	471.87	576.48				2.94	105.13		1,156.42		1,146.25	10.17
SWR003		RES/STP/MLTP	7.09	7.23	8.44				2.94	1.86		20.47		20.32	0.16

Waste Mgt Collection Disposal Rates
Jan 2020

RATE	(R)RE		FY 19 GB	New Rate	GB	YDWS	YDWS	CURB	FP	FP		IND AMT	Last Year	Difference	
CODE	(C)CO	DESC	COLL	FY20 2%	DISP	COLL 2%	DISP	RECYC 2%	ADMIN	FF		BILLED	3.90	FY2019	
SWR001	R	Residential	6.20	6.33	3.23	1.93	0.67	2.58	2.94	1.77		19.44	8.25	19.21	0.23
SWC002	C	Commercial curb 1x week	6.95	7.09	8.44				2.94	1.85		20.31		20.16	0.15
SWC001	C	Commercial curb 2x week	8.18	8.34	8.95				2.94	2.02		22.26		22.08	0.18
SWC003	C	1-2yd X 1 WEEK	36.17	36.89	37.87				2.94	7.77		85.47		84.68	0.79
SWC004	C	1-2yd X 2 WEEK	72.33	73.77	75.74				2.94	15.25		167.70		166.11	1.59
SWC037	C	1-2yd X 3 WEEK	108.51	110.68	113.60				2.94	22.72		249.94		247.55	2.39
	C	1-2yd X 4 WEEK	144.66	147.55	151.47				2.94	30.20		332.16		328.97	3.19
		1-2yd X 5 WEEK	180.82	184.43	189.33				2.94	37.67		414.37		410.39	3.98
		1-2yd X 6 WEEK	216.99	221.33	227.20				2.94	45.15		496.62		491.85	4.77
SWC005	C	1-4yd X 1 WEEK	67.16	68.50	75.74				2.94	14.72		161.90		160.42	1.48
SWC006	C	1-4yd X 2 WEEK	134.28	136.97	151.48				2.94	29.14		320.53		317.57	2.96
SWC020	C	1-4yd X 3 WEEK	201.46	205.49	227.21				2.94	43.56		479.20		474.77	4.43
	C	1-4yd X 4 WEEK	268.59	273.96	302.97				2.94	57.99		637.85		631.95	5.90
		1-4yd X 5 WEEK	335.74	342.46	378.71				2.94	72.41		796.52		789.13	7.39
		1-4yd X 6 WEEK	402.87	410.93	454.45				2.94	86.83		955.15		946.29	8.86
SWC008	C	1-6yd X 1 WEEK	92.97	94.83	113.61				2.94	21.14		232.52		230.48	2.04
SWC009	C	1-6yd X 2 WEEK	186.00	189.72	227.22				2.94	41.99		461.86		457.77	4.09
SWC022	C	1-6yd X 3 WEEK	278.95	284.53	340.84				2.94	62.83		691.14		685.00	6.14
	C	1-6yd X 4 WEEK	371.94	379.38	454.44				2.94	83.68		920.44		912.26	8.18
		1-6yd X 5 WEEK	464.93	474.22	568.04				2.94	104.52		1,149.73		1,139.50	10.23
		1-6yd X 6 WEEK	557.89	569.05	681.65				2.94	125.36		1,379.00		1,366.73	12.27
SWC011	C	1-8yd X 1 WEEK	103.33	105.39	151.48				2.94	25.98		285.79		283.52	2.27
SWC012	C	1-8yd X 2 WEEK	206.63	210.76	302.96				2.94	51.67		568.33		563.78	4.55
SWC018	C	1-8yd X 3 WEEK	309.95	316.15	454.44				2.94	77.35		850.88		844.06	6.82
	C	1-8yd X 4 WEEK	413.25	421.52	605.55				2.94	103.00		1,133.01		1,123.92	9.09
		1-8yd X 5 WEEK	516.57	526.90	757.38				2.94	128.72		1,415.94		1,404.58	11.36
	C	1-8yd X 6 WEEK	619.88	632.28	908.85				2.94	154.41		1,698.48		1,684.84	13.64

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6f**

ITEM TITLE: Second Reading and Public Hearing – Ordinance 2020-010 – SRF Revolving Loan

For the Meeting of: October 22, 2020

Submitted by: City Manager/City Attorney

Date Submitted: October 2, 2020

Funds Required:

Account Number: N/A

Amount Required: N/A

Balance Remaining: N/A

Attachments: Proposed ordinance (see comments below), and affidavit (legal opinion forthcoming)

Item Description: **Ordinance 2020-010 State Revolving Loan Program** authorizing the loan application and loan agreement. (The first reading was held on October 8, 2020.)

Action to be Taken: Enact Ordinance 2020-010 to become effective as provided by law.

Staff's Recommendation: Approval

Additional Comments: The city commission adopted Resolution 2020-052 approving the loan authorization application on August 27, 2020.

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE 2020-010

AN ORDINANCE OF CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, Florida Statutes provide for loans to local government agencies to finance the construction of wastewater treatment facilities; and

WHEREAS, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with loan program requirements; and to enter into a loan agreement; and

WHEREAS, the State Revolving Fund loan priority list designates Project No. WW350820 as eligible for available funding; and

WHEREAS; the City of Fruitland Park, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

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

SECTION I. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION II. The City of Fruitland Park, Florida, is authorized to apply for a loan to finance the Project.

SECTION III. The revenues pledged for the repayment of the loan are net water and sewer system revenues as well as connection fees and impact fees. The gross revenues of the City's water and sewer utility are pledged with the Florida Department of Transportation but no other debt with a lien on such new revenues superior to the security interest being granted under this State Revolving Fund loan.

SECTION IV. The City Manager is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

SECTION V. The Mayor is hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance with its terms when signed by both parties. The City Manager is authorized to represent the City in carrying out the City's responsibilities under the loan agreement. The City Manager is authorized to delegate responsibility to appropriate City staff to carry out technical, financial, and administrative activities associated with the loan agreement.

SECTION VI. The legal authority for borrowing moneys to construct this Project is 166.111, Florida Statutes.

SECTION VII. All ordinances or parts of ordinances, all resolutions or part of resolutions in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION VIII. If any section or portion of a section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Ordinance.

SECTION IX. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2020.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, MMC, City Clerk
(SEAL)

Anita Geraci-Carver, City Attorney

Mayor Cheshire	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Vice Mayor Gunter	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Bell	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner DeGrave	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Mobilian	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)

Passed First Reading October 8, 2020

Passed Second Reading _____

RESOLUTION 2020-052

A RESOLUTION OF CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT A LOAN APPLICATION PURSUANT TO THE STATE REVOLVING FUND LOAN PROGRAM; APPLYING FOR A LOAN IN THE AMOUNT OF \$85,000.00 LESS 70% OR \$59,900 OF PRINCIPAL FORGIVENESS, EXCLUDING CAPITALIZED INTEREST, PAYABLE OVER A 20-YEAR PERIOD FOR PLANNING FUNDS FOR POINT SOURCE WATER POLLUTION CONTROL (DESIGNATED AS PROJECT WW35082); DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, Sec. 166.111, Florida Statutes authorizes local government agencies to finance the planning and construction of water treatment facilities and the undertaking of any capital or other project for the purposes permitted by the State Constitution; and

WHEREAS, Sec. 180.07, Florida Statutes, provides in part that “the revenues of all or any part of any existing plants or systems or any plants or systems constructed hereunder may be pledged to secure moneys advanced for the construction or improvement of any utility plant or system or any part thereof or any combination thereof.”

WHEREAS, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with loan program requirements; and to enter into a loan agreement; and

WHEREAS, the State Revolving Fund loan priority list designates Project No. WW35082 as eligible for available funding; and

WHEREAS, the City of Fruitland Park, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

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

SECTION I. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION II. The City Manager on behalf of the City of City of Fruitland Park, Florida, is authorized to apply for and submit a loan application for planning funds pursuant to the State Revolving Loan Program to finance Project – WW35082– Point Source Water Pollution Control.

SECTION III. The City Manager is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application seeking \$85,000.00, excluding capitalized interest, in planning funds over a term of 20 years.

SECTION IV. The Mayor and/or City Manager are hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance

with its terms when signed by both parties. The City Manager is authorized to represent the City in carrying out the City's responsibilities under the loan agreement. The City Manager is authorized to delegate responsibility to appropriate City staff to carry out technical, financial, and administrative activities associated with the loan agreement.

SECTION V. All resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

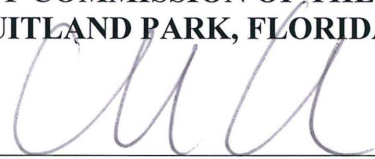
SECTION VI. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION VII. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND RESOLVED this 27th day of August 2020, by the City Commission of the City of Fruitland Park, Florida.

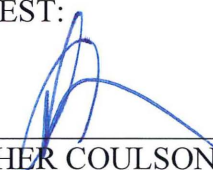
SEAL

CITY COMMISSION OF THE CITY OF
FRUITLAND PARK, FLORIDA



CHRIS CHESHIRE, MAYOR


ATTEST:



ESTHER COULSON, CITY CLERK, MMC

Mayor Cheshire	<u> / </u>	(Yes),	<u> </u>	(No),	<u> </u>	(Abstained),	<u> </u>	(Absent)
Vice Mayor Gunter	<u> / </u>	(Yes),	<u> </u>	(No),	<u> </u>	(Abstained),	<u> </u>	(Absent)
Commissioner Bell	<u> / </u>	(Yes),	<u> </u>	(No),	<u> </u>	(Abstained),	<u> </u>	(Absent)
Commissioner DeGrave	<u> / </u>	(Yes),	<u> </u>	(No),	<u> </u>	(Abstained),	<u> </u>	(Absent)
Commissioner Mobilian	<u> </u>	(Yes),	<u> </u>	(No),	<u> </u>	(Abstained),	<u> / </u>	(Absent)

Approved as to form:


Anita Geraci-Carver, City Attorney

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE REVOLVING LOAN PROGRAM
for
Point Source Water Pollution Control

LOAN APPLICATION



Florida Department of Environmental Protection
State Revolving Fund Program
Marjory Stoneman Douglas Building
3900 Commonwealth Blvd., MS 3505
Tallahassee, FL 32399-3000

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LOAN APPLICATION

- (1) SUBMITTAL. Submit the application and attachments to the Department of Environmental Protection, MS 3505, State Revolving Fund Program, 3900 Commonwealth Blvd., Tallahassee, Florida 32399-3000. The application (and backup) may be submitted electronically to the Department's Project Manager.
- (2) COMPLETING THE APPLICATION.
 - (a) This application consists of five parts: (I) ADMINISTRATIVE INFORMATION; (II) PROJECT INFORMATION; (III) FINANCIAL INFORMATION; (IV) AUTHORIZATION AND ASSURANCES; and (V) SUPPLEMENTARY INFORMATION.
 - (b) All information provided on this application must be printed. Monetary amounts may be rounded.
 - (c) Forms and attachments to be submitted are denoted with italic print.
- (3) ASSISTANCE. Completing this application may require information that can be obtained from Clean Water State Revolving Fund Program staff. Please email SRF_Reporting@dep.state.fl.us for assistance in completing this application.

PART I - ADMINISTRATIVE INFORMATION

- (1) PROJECT SPONSOR City of Fruitland Park
Federal Employer Identification Number 59-6031169
DUNS Number 064814320
- (2) AUTHORIZED REPRESENTATIVE (person authorized to sign or attest loan documents).
Name Gary La Venia Title City Manager
Telephone 352-360-6795 FAX _____ Email glavenia@fruitlandpark.org
Mailing Address 506 West Berckman Street
Fruitland Park, Florida 34731
- (3) PRIMARY CONTACT (person to answer questions regarding this application).
Name Gary La Venia Title City Manager
Telephone 352-360-6795 FAX _____ Email glavenia@fruitlandpark.org
Employer City of Fruitland Park
Mailing Address 506 West Berckman Street
Fruitland Park, Florida 34731
- (4) ADDITIONAL CONTACTS. If more than one additional person is to receive copies of Department correspondence, attach the information (*Attachment #A*).
Name Robb Dicus Title Public Works Director
Telephone 352-360-6795 FAX _____ Email rdicus@fruitlandpark.org
Employer City of Fruitland Park
Mailing Address 202 West Berckman Street
Fruitland Park, Florida 34731
- (5) PROJECT NUMBER (listed on the Department's priority list). WW35082
- (6) INTERIM FINANCING. A local government project sponsor that has interim financing may be subject to certain conditions regarding such financing.

Is the project currently being funded with interim financing?

Yes No

PART II – PROJECT INFORMATION

If you are applying for a planning, design, or SSES loan for a project that will involve construction, complete only Subpart A below. If you are applying for a loan to construct a project that is already planned and designed, complete only Subpart B below.

A. PLANNING, DESIGN OR SSES PROJECT

Information should be provided for each separate facility to be planned and designed as appropriate. For design/build projects (not eligible for design loans) or those where multiple facilities, segments, or phases are involved, please attach information for activities, schedule, and cost for each. (*Attachment #_____*)

(1) **ACTIVITIES.** Attach a brief description of the scope of planning and design activities to be financed by this loan. Include a list of any specialized studies to be performed. (*Attachment #B*) Are these activities the same as those scheduled on the *Request for Inclusion Form*? Yes No. If “No”, please explain. (*Attachment #_____*)

(2) **SCHEDULE.**

(a) Provide proposed completion dates for the items. (Please call Department staff to discuss time frames needed to complete required tasks.)

Planning documentation	December 2019
Engineering work	October 2020
Certification of site availability	N/A
Permit	October 2020

(b) Do you anticipate that an interlocal agreement with another party will be necessary to implement the project? If “Yes”, please explain. (*Attachment #_____*) Yes No

(c) Is this a design/build project? Yes No

(3) **COST.** Is the cost information submitted for the planning, design or SSES loan priority list current? If “No”, please explain and submit revised cost information using the appropriate page of the *Request for Inclusion Form*. (*Attachment #_____*) Note that the disbursable amount will be limited to the priority list amount. Yes No

PRECONSTRUCTION LOAN APPLICANTS PROCEED TO PART III.

B. CONSTRUCTION OR I/I REHABILITATION PROJECT

(1) **ACTIVITIES.**

(a) Attach a brief description of construction or I/I rehabilitation activities to be financed by this loan. Include a list of the contracts (by title) corresponding to the plans and specifications accepted by the Department (*Attachment #_____*).

Are these contracts the same as those scheduled on the *Request for Inclusion Form*? Yes No
If “No”, please explain. (*Attachment #_____*)

(b) Have any of the contracts been bid? Yes No
If “Yes”, indicate which contracts have been bid. (*Attachment #_____*)

(c) Was planning, design, or SSES for this project financed in another SRF loan? Yes No
If “Yes”, give the SRF loan number. _____

(d) Does this project involve an interlocal agreement with other local governments or other entities? Yes No
If “Yes”, attach a copy of the Department letter accepting the interlocal agreement. (*Attachment #_____*)

Is the interlocal agreement, as accepted by the Department, fully executed and enforceable? Yes No
If “No”, please explain (*Attachment #_____*).

- (2) SCHEDULE. (month and year)
- (a) Anticipated notice to proceed for first construction contract. _____
- (b) Anticipated completion of all construction contracts. _____
- (3) COST. Is the cost information submitted for the priority list current? Yes No

If "No", please explain and submit revised cost information using the appropriate page of the *Request for Inclusion Form*. (Attachment # _____) Note that the disbursable amount will be limited to the priority list amount.

PART III - FINANCIAL INFORMATION

Estimates of the capitalized interest, project useful life for financial hardship loans, financing rate, pledged revenue coverage, limitations on annual loan amounts for large projects, applicability and amount of repayment reserves, amount of the loan service fee and any other information may be obtained by contacting staff in the State Revolving Fund Management Section.

- (1) PRINCIPAL. The requested amount of the loan which does not include capitalized interest is \$25,500 (\$85,000 original loan amount less 70% or \$59,500 of principal forgiveness)

Note that the disbursable amount will be limited to the priority list amount and must be consistent with the project information provided under **PART II** of this application. Also note that the capitalized interest is an inexact estimate, and it is subject to adjustment by the Department to reflect actual disbursement timing. The principal amount of the loan does not include the loan service fee.

- (2) TERMS AND REPAYMENT.
- (a) Loans to local government project sponsors are amortized over the lesser of useful life of the project or 20 years unless the project is to serve a small community qualifying as having a financial hardship. Loans to financial hardship communities may be amortized over the lesser of useful life of the project or 30 years. Loans to non-governmental project sponsors are amortized over the lesser of the useful of the project or 20 years. Finance charges and principal are paid semiannually.

What is the useful life of the project? 30 (years)

Over how many years would you like to amortize the loan? 20 (years)

- (b) List all revenues that are to be pledged for repayment of this loan. Water and sewer revenues and connection fees / impact fees, and any transfer amounts from the General Fund to the Utility Fund that are approved by the City Commission during each fiscal year.
- (c) Pledged revenue receipts or collections by the project sponsor must exceed the amount of the repayments due to the Department unless there are other collateral provisions. The excess revenue, or coverage, generally is 15% of each repayment.

What coverage is proposed for the loan? 115% (coverage percentage)

- (d) Is any other financial assistance being applied to this project? Yes No
- If "Yes", please list. (Not Applicable)

- (3) ANNUAL FUNDING LIMIT. Large project funding (generally, loans in excess of \$10 million) may be provided in increments pursuant to the initial loan agreement and subsequent amendments. Each increment shall have a separate financing rate as established in the agreement or amendment providing that increment.

(4) INFORMATION ON LIENS.

- (a) Describe, if applicable, all debt obligations having a prior or parity lien on the revenues pledged to repay this loan. (Attachment # C) For example: City Name, Florida, Water and Sewer System Revenue Bonds, Series 1996, issued in the amount of \$10,000,000, pursuant to Ordinance No. 93-104, as amended and supplemented by Ordinance No. 96-156.

- (b) Using the Part V, *Schedule of Prior and Parity Liens*, provide debt service information, if applicable, on each prior and parity obligation.
 - (c) For the listed obligations, provide a copy of the ordinance(s), resolution(s), official statement(s), or pages thereof, setting forth the definitions, use of proceeds, debt service schedule, pledged revenues, rate covenants, provisions for issuing additional debt, provisions for bond insurance, and debt rating. (*Attachment #D*).
 - (d) Describe any other notes and loans payable from the revenues pledged to repay this loan. Response: Other than what is represented in Part V, *Schedule of Prior and Parity Liens*, the City has two outstanding SRF loans – Clean Water SRF Loan WW91204P and Clean Water SRF Loan WW91203S.
- (5) ACTUAL AND PROJECTED REVENUES.
- (a) Complete the Part V, *Schedule of Actual Revenues and Debt Coverage* for the past two fiscal years.
 - (b) Complete the Part V, *Schedule of Projected Revenues and Debt Coverage*, demonstrating the availability of pledged revenues for loan repayment.
- (6) AVAILABILITY OF PLEDGED REVENUES. All sources must be supported by a written legal opinion. (*Attachment # E*) The opinion must address the following:
- (a) Availability of the revenues to repay the loan.
 - (b) Right to increase rates at which revenues shall be collected to repay the loan.
 - (c) Subordination of the pledge if pledged revenues are subject to a prior or parity lien.
- (7) LOAN SERVICE FEE. A loan service fee is assessed on each loan. The fee is not part of the loan. The fee along with interest thereon will be deducted from the first available repayments after the final amendment to the loan agreement.

PART IV – AUTHORIZATION AND ASSURANCES

- (1) AUTHORIZATION. Provide an authorizing resolution of the Applicant's governing body or other evidence of authorization (*Attachment # F*) for the following:
 - (a) Pledging revenues to repay the loan.
 - (b) Designation of the Authorized Representative(s) to file this application, provide assurances, execute the loan agreement, and represent the Applicant in carrying out responsibilities (including that of requesting loan disbursements) under the loan agreement.
- (2) ASSURANCES. The Applicant agrees to comply with the laws, rules, regulations, policies and conditions relating to the loan for this project. Applicants should seek further information from the Clean Water State Revolving Fund Program staff as to the applicability of the requirements if the necessity for the assurances is of concern. Specifically, the Applicant certifies that it has complied, as appropriate, and will comply with the following requirements, as appropriate, in undertaking the Project:
 - (a) Assurances for capitalization grant projects.
 1. Complete all facilities for which funding has been provided.
 2. The Archaeological and Historic Preservation Act of 1974, PL 93-291, and the National Historic Preservation Act of 1966, PL 89-665, as amended, regarding identification and protection of historic properties.
 3. The Clean Air Act, 42 U.S.C. 7506(c), which requires conformance with State Air Quality Implementation Plans.
 4. The Coastal Zone Management Act of 1972, PL 92-583, as amended, which requires assurance of project consistency with the approved State management program developed under this Act.
 5. The Endangered Species Act, 16 U.S.C. 1531, et seq., which requires that projects avoid disrupting threatened or endangered species and their habitats.
 6. Executive Order 11593, Protection and Enhancement of the Cultural Environment, regarding preservation, restoration and maintenance of the historic and cultural environment.
 7. Executive Order 11988, Floodplain Management, related to avoiding, to the extent possible, adverse impacts associated with floodplain occupancy, modification and development whenever there is a practicable alternative.

8. Executive Order 11990, Protection of Wetlands, related to avoiding, to the extent possible, adverse impacts associated with the destruction or modification of wetlands and avoiding support of construction in wetlands.
9. The Fish and Wildlife Coordination Act, PL 85-624, as amended, which requires that actions to control natural streams or other water bodies be undertaken to protect fish and wildlife resources and their habitats.
10. The Safe Drinking Water Act, Section 1424(e), PL 93-523, as amended, regarding protection of underground sources of drinking water.
11. The Wild and Scenic Rivers Act, PL 90-542, as amended, related to protecting components or potential components of the national wild and scenic rivers system.
12. The federal statutes relating to nondiscrimination, including: The Civil rights Act of 1964, PL 88-352, which prohibits discrimination on the basis of race, color or national origin; the Age Discrimination Act, PL 94-135, which prohibits discrimination on the basis of age; Section 13 of the Federal Water Pollution Control Act, PL 92-500, which prohibits sex discrimination; the Rehabilitation Act of 1973, PL 93-112, as amended, which prohibits discrimination on the basis of handicaps.
13. Executive Order 11246, Equal Employment Opportunity, which provides for equal opportunity for all qualified persons.
14. Executive Orders 11625 and 12138, Women's and Minority Business Enterprise, which require that small, minority, and women's business and labor surplus areas are used when possible as sources of supplies, equipment, construction and services.
15. The Coastal Barrier Resources Act, 16 U.S.C. 3501 et seq., regarding protection and conservation of the coastal barrier resources.
16. The Farmland Protection Policy Act, 7 U.S.C. 4201 et seq., regarding protection of agricultural lands from irreversible loss.
17. The Uniform Relocation and Real Property Acquisition Policies Act of 1970, PL 91-646, which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally assisted programs.
18. The Demonstration Cities and Metropolitan Development Act of 1966, PL 89-754, as amended, which requires that projects be carried out in accordance with area wide planning activities.
19. Section 306 of the Clean Air Act, Section 508 of the Clean Water Act and Executive Order 11738, which prohibit manufacturers, firms, or other enterprises on the EPA's list of Violating Facilities from participating in the Project.
20. Executive Order 12549, Debarment and Suspension, which prohibits any award to a party which is debarred or suspended or is otherwise excluded from, or ineligible for, participation in federal assistance programs.
21. Minority and Women's Business Enterprise participation in project work using numerical goals, established by the U.S. Environmental Protection Agency, and to be set forth in the specifications for construction and materials contracts.

(b) Assurances for other projects.

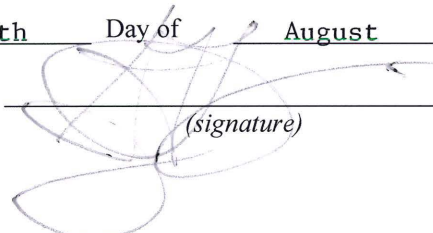
1. Chapter 161, Part I, F.S., "Beach and Shore Preservation Act" and Part III, "Coastal Zone Protection Act of 1985" which regulate coastal zone construction and all activities likely to affect the condition of the beaches or shore.
2. Chapter 163, Part II, F.S., the "Local Government Comprehensive Planning and Land Development Regulation Act" which requires units of local government to establish and implement comprehensive planning programs to control future development.
3. Chapter 186, F.S., State and Regional Planning, which requires conformance of projects with Regional Plans and the State Comprehensive Plan.
4. Chapter 253, F.S., "Emergency Archaeological Property Acquisition Act of 1988" which requires protection of archaeological properties of major statewide significance discovered during construction activities.
5. Chapter 258, Part III, F.S., which requires protection of components or potential components of the national wild and scenic rivers system.
6. Chapter 267, F.S., the "Florida Historical Resources Act" which requires identification, protection, and preservation of historic properties, archaeological and anthropological sites.

7. Chapter 287, Part I, F.S., which prohibits parties convicted of public entity crimes or discrimination from participating in State-assisted projects and which requires consideration of the utilization of Minority Business Enterprises in State-assisted projects.
8. Chapter 372, F.S., the Florida Endangered and Threatened Species Act which prohibits the killing or wounding of an endangered, threatened, or special concern species or intentionally destroying their eggs or nest.
9. Chapter 373, Part IV, F.S., Florida Water Resources Act of 1972, which requires that activities on surface waters or wetlands avoid adversely affecting: public health, safety, welfare, or property; conservation of fish and wildlife, including endangered or threatened species or their habitats; navigation or the flow of water; the fishing or recreational values or marine productivity; and significant historical and archaeological resources.
10. Chapter 380, Part I, F.S., Florida Environmental Land and Water Management Act of 1972 as it pertains to regulation of developments and implementation of land and water management policies.
11. Chapter 381, F.S., Public Health, as it pertains to regulation of onsite wastewater systems.
12. Chapter 403, Part I, F.S., Florida Air and Water Pollution Control which requires protection of all waters of the state.
13. Chapter 582, F.S., Soil and Water Conservation Act which requires conformance with Water Management District's regulations governing the use of land and water resources.
14. Governor's Executive Order 95-359, which requires State Clearinghouse review of project planning documentation and intergovernmental coordination.

I, the undersigned Authorized Representative of the Applicant, hereby certify that all information contained herein and in the attached is true, correct, and complete to the best of my knowledge and belief. I further certify that I have been duly authorized to file the application and to provide these assurances.

Signed this 27th Day of August, 20 20

Authorized Representative


(signature)

Gary LaVenía
(name typed or printed)

Attachments

PART V – SUPPLEMENTARY INFORMATION

**SCHEDULE OF PRIOR AND PARITY LIENS
(EXCLUDING SRF LOANS)**

List annual debt service beginning two years before the anticipated loan agreement date and continuing at least three additional fiscal years. Use additional pages as necessary.

	#1		#2		#3
Identify Each Obligation	Promissory Note FPN 238395-4-52-01, SR 500, Lake County (Department of Transportation Hardship Loan)				
Coverage	100 %		%		%
Insured?	Yes <input checked="" type="checkbox"/> No		Yes <input type="checkbox"/> No		Yes <input type="checkbox"/> No

Fiscal Year	<u>Annual Debt Service (Principal Plus Interest)</u>			Total Debt Service	Total Debt Service Incl. Coverage
	#1	#2	#3		
2018	\$14,186	\$	\$	\$14,186	\$14,186
2019	\$14,186	\$	\$	\$14,186	\$14,186
2020	\$14,186	\$	\$	\$14,186	\$14,186
2021	\$14,186	\$	\$	\$14,186	\$14,186
2022	\$14,186	\$	\$	\$14,186	\$14,186
2023	\$14,186	\$	\$	\$14,186	\$14,186
2024	\$14,186	\$	\$	\$14,186	\$14,186
2025	\$14,186	\$	\$	\$14,186	\$14,186
2026	\$14,186	\$	\$	\$14,186	\$14,186
2027	\$14,186	\$	\$	\$14,186	\$14,186
2028	\$14,186	\$	\$	\$14,186	\$14,186
2029	\$14,186	\$	\$	\$14,186	\$14,186
2030	\$14,186	\$	\$	\$14,186	\$14,186
2031	\$14,186	\$	\$	\$14,186	\$14,186
2032	\$14,186	\$	\$	\$14,186	\$14,186
2033	\$14,186	\$	\$	\$14,186	\$14,186
2034	\$14,186	\$	\$	\$14,186	\$14,186
2028	\$14,186	\$	\$	\$14,186	\$14,186
2029	\$14,186	\$	\$	\$14,186	\$14,186
2030	\$14,186	\$	\$	\$14,186	\$14,186
2031	\$14,186	\$	\$	\$14,186	\$14,186
2032	\$14,186	\$	\$	\$14,186	\$14,186
2033	\$14,186	\$	\$	\$14,186	\$14,186
2034	\$14,186	\$	\$	\$14,186	\$14,186

PART V – SUPPLEMENTARY INFORMATION

SCHEDULE OF ACTUAL REVENUES AND DEBT COVERAGE

(Provide information for the two fiscal years preceding the anticipated date of the SRF loan agreement.)

	<u>FY 2018</u>	<u>FY 2019</u>
(a) Operating Revenues (Source)		
<u>Water User Rate Revenue</u>	<u>\$703,842</u>	<u>\$782,641</u>
<u>Wastewater User Rate Revenue</u>	<u>\$136,620</u>	<u>\$177,260</u>
<u>Other Operating Revenue</u>	<u>\$102,737</u>	<u>\$130,332</u>
(b) Interest Income	<u>\$19,018</u>	<u>\$4,508</u>
Other Income or Revenue (Identify)		
Rej		
(c)		
<u>Water Connection Fees / Impact Fees</u>	<u>\$55,251</u>	<u>\$111,541</u>
<u>Sewer Connection Fees / Impact Fees</u>	<u>\$31,823</u>	<u>\$247,407</u>
(d) Total Revenues	<u>\$1,049,291</u>	<u>\$1,453,690</u>
(e) Operating Expenses (excluding interest on debt, depreciation, and other non-cash items)	<u>\$783,321</u>	<u>\$1,238,526</u>
(f) Net Revenues [(f) = (d) – (e)]	<u>\$265,970</u>	<u>\$215,164</u>
(g) Debt Service (including any required coverage)	<u>\$172,505</u>	<u>\$172,505</u>
(h) Attach audited annual financial report(s), or pages thereof, or other documentation necessary to support the above information. Include any notes or comments from the audit reports regarding compliance with covenants of debt obligations having a prior or parity lien on the revenues pledged for repayment of the SRF Loan. (<i>Attachments # G, H, and I</i>)		
(i) Attach worksheets reconciling this page with the appropriate financial statements (for example, backing out depreciation and interest payments from operating expenses). (<i>Attachment # J</i>)		
(j) If the net revenues were not sufficient to satisfy the debt service and coverage requirement, please explain what corrective action was taken. (<i>Not Applicable</i>)		

PART V – SUPPLEMENTARY INFORMATION

SCHEDULE OF PROJECTED REVENUES AND DEBT COVERAGE

Begin with the fiscal year preceding first anticipated semiannual loan payment and continuing for at least three additional years. Attach a separate page for previous State Revolving Fund loans. (*Attachment # I shows debt repayment schedules for both SRF and non-SRF debt*)

	<u>FY 2021</u>	<u>FY 2022</u>	<u>FY 2023</u>	<u>FY 2024</u>	<u>FY 2025</u>
(a) Operating Revenue	\$1,514,805	\$1,921,891	\$1,975,473	\$2,028,854	\$2,082,169
(b) Interest Income	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500
(c) Other Income or Revenue (identify)					
<u>Water Connection Fees / Impact Fees</u>	\$49,250	\$49,250	\$49,250	\$49,250	\$49,250
<u>Sewer Connection Fees / Impact Fees</u>	\$154,000	\$154,000	\$154,000	\$154,000	\$154,000
<u>Transfers from General Fund</u>	\$100,000	\$0	\$0	\$0	\$0
(d) Total Revenues	\$1,822,555	\$2,129,641	\$2,183,223	\$2,236,604	\$2,289,919
(e) Operating Expenses (excluding interest on debt, depreciation, and other non-cash items)	\$1,637,202	\$1,719,062	\$1,805,015	\$1,895,266	\$1,990,029
(f) Net Revenues (f = d - e)	\$185,353	\$410,579	\$378,208	\$341,338	\$299,890
(g) Revenue (including coverage) pledged to debt service, excluding SRF loans	\$14,186	\$14,186	\$14,186	\$14,186	\$14,186
(h) Revenue (including coverage) pledged to outstanding SRF loans	\$158,319	\$158,319	\$158,319	\$158,319	\$158,319
(i) Revenue Available for this SRF Loan [(i) = (f) – (g) – (h)]	\$12,848	\$238,074	\$205,703	\$168,844	\$127,385
(j) Identify the source of the above information and explain methods used to develop the projections (<i>Attachment # K</i>). Include an explanation of any revenue and expense growth or other adjustments; for example, any rate increases, service growth, inflation adjustments, expense adjustments reflecting the cost of operating additional facilities, or other considerations.					
(k) For construction loans, are the above projections consistent with the accepted financial feasibility information?				<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

If “No”, please explain. (Not Applicable)

PART V – SUPPLEMENTARY INFORMATION

LIST OF ATTACHMENTS

LIST OF ATTACHMENTS. This application requires the submittal of *Attachments* to provide supplemental information. The application is not complete without the completed *List of Attachments*. Please list all attachments that you are including with this application form.

Attachment	Number
Additional Contacts	A
Design Scope of Work	B
Debt Obligations Having Prior or Parity Liens	C
Documentation for Promissory Note FPN 238395-4-52-01, SR 500, Lake County (Department of Transportation Hardship Loan)	D
Legal Opinion on the Availability of Pledged Revenues	E
Resolution Authorizing This Loan Application	F
Audited Fiscal Year 2018 Comprehensive Annual Financial Report	G
Audited Fiscal Year 2019 Comprehensive Annual Financial Report	H
Repayment Schedules for Existing Debt and This Loan	I
Notes to "Schedule of Actual Revenues and Debt Coverage"	J
Notes to "Schedule of Projected Revenues and Debt Coverage"	K

The Villages®
DAILY SUN

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

Before the undersigned authority personally appeared **Jackie Lancero**, 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 #00968190 in the matter of **NOTICE ORDINANCE 2020-010** was published in said newspaper in the issues of **OCTOBER 7, 2020**

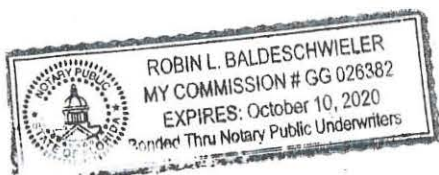
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, 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 7 day of October 2020.

Robin L. Baldeschwieler, Notary

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



Attach Notice Here:

ORDINANCE 2020-010

AN ORDINANCE OF CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

This ordinance will be presented for public hearing second reading by the Fruitland Park City Commission at its special meeting to be held on Thursday, October 22, 2020 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 of same 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)
#968190. October 7, 2020

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6g**

ITEM TITLE: First Reading and Public Hearing Ordinance 2020-005 –
Annexation 27.74± Acres – CR 466A-W Oliver Lane –
Petitioner: Lake County School District

For the Meeting of: August 27, 2020
Submitted by: City Attorney/City Manager/Community Development
Director
Date Submitted: August 14, 2020
Funds Required: No.
Attachments: Yes. Proposed ordinance, advertisement, and location map.

Item Description: Proposed Ordinance 2020-005 amending the boundaries of
the City of Fruitland Park Florida, to include within the city limits approximately 27.74± acres of
land generally located north of CR 466A and west of Oliver Lane. (The second reading will be
held on November 12, 2020.)

The Planning and Zoning Board held its meeting on October 15, 2020.

Action to be Taken: Approve Ordinance 2020-005

Staff's Recommendation: Approval

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE 2020-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 27.74 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER LANE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER’S ERRORS; SETTING AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Benchmark Development I, LLC, as Applicant, on behalf of School Board of Lake County, Owner, requesting that approximately 27.74 ± acres of real property generally located north of CR 466A and west of Oliver Lane (the “Property”) be annexed to and made a part of the City of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the Property is contiguous to the City limits and is reasonably compact.

WHEREAS, the City Commission has determined that the area proposed for annexation meets the requirements of §171.044, Florida Statutes; and

WHEREAS, this Ordinance has been advertised as required by law with a copy of said notice sent via certified mail to the Board of County Commissioners of Lake County as provided for by statute; and

WHEREAS, all other procedural and notice requirements mandated by State law and the City’s Code of Ordinances have been followed and satisfied; and

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

Section 1. The following described property consisting of approximately 27.74 acres of land generally located north of CR 466A and west of Oliver Lane, contiguous to the City limits, is hereby incorporated into and made part of the City of Fruitland Park Florida. The property is more particularly described as follows:

LEGAL DESCRIPTION: THOSE PORTIONS OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE EAST 1/4 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING NORTHERLY AND NORTHEASTERLY OF THE NORTHERLY AND NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS IT CURRENTLY EXISTS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6" X 6" CONCRETE MONUMENT WITH A NAIL AND NO IDENTIFICATION LOCATED AT THE SOUTHWEST CORNER OF THE SW 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE ON A BEARING RELATED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE, RUN N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 2028.33 FEET FOR A POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS DESCRIBED IN OFFICIAL RECORDS BOOK 4485, PAGE 481, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. FROM SAID POINT OF BEGINNING, CONTINUE THENCE N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 625.67 FEET TO AN IRON AXLE LOCATED AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 89°06'05" E, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 1161.46 FEET TO A 4" X 4" CONCRETE MONUMENT LABELED "LB4709" LOCATED AT THE NORTHEAST CORNER OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 00°50'23" W, ALONG THE EAST LINE OF THE SAID WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1259.66 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A ACCORDING TO THAT CERTAIN PARTIAL RELEASE OF ROAD RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN OFFICIAL RECORDS BOOK 4537, PAGE 1095, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY TO WHICH A RADIAL LINE BEARS S 03°26'08" W; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AND THE ARC OF CURVE THROUGH A CENTRAL ANGLE OF 11°51'54", AN ARC LENGTH OF 223.92 FEET TO A POINT ON THE NORTH LINE OF THAT CERTAIN RIGHT OF WAY RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN DEED BOOK 237, PAGE 336, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N 89°07'03" W, ALONG SAID NORTH LINE, A DISTANCE OF 25.87 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 466A, SAID POINT BEING A POINT OF NON-TANGENCY ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1375.39 FEET TO WHICH A RADIAL LINE BEARS S 17°41'16" W; DEPARTING SAID RIGHT OF WAY RESERVATION, THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND ARC OF CURVE, THROUGH A CENTRAL ANGLE OF 21°33'10", AN ARC LENGTH OF 517.39 FEET TO THE POINT OF TANGENCY; THENCE N 50°45'41" W, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 585.35 FEET TO THE POINT OF BEGINNING.

Parcel Alternate Key No. 1288088

Section 2. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Department of State of Florida within seven (7) days after its passage on second and final reading.

Section 3. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. The property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendments to include the property annexed in the City Comprehensive Plan.

Section 5. Upon this Ordinance becoming effective, the property annexed shall be subject to all laws, ordinances, and regulations enforced in the City of Fruitland Park and shall be entitled to the same privileges and benefits as other parts of the City of Fruitland Park upon the effective date of the annexation.

Section 6. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 7. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park in accordance with law.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2020.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, MMC, City Clerk

Anita Geraci-Carver, City Attorney

Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice-Mayor Gunter	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Bell	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner DeGrave	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Mobilian	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)

NOTICE OF PUBLIC HEARINGS

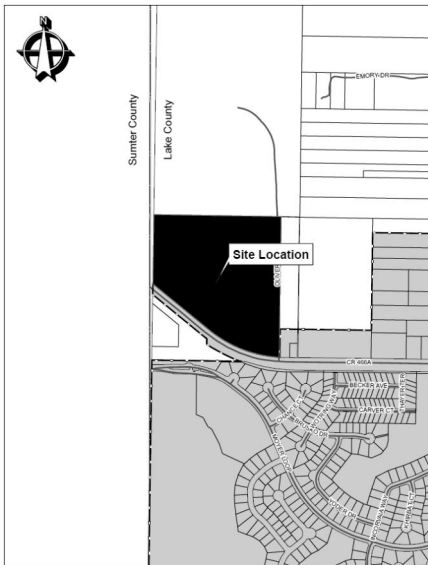
ORDINANCE 2020-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 27.74 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER LANE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; SETTING AN EFFECTIVE DATE.

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

- Fruitland Park Planning & Zoning Board Meeting
on October 15, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on October 22, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on November 12, 2020 at 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. The meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time certain. The proposed ordinance and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727.



Interested parties may appear at the meetings and will be heard with respect to the proposed ordinance.

A person who decides to appeal any decision made by any board, agency or council 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 upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Esther Coulson, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6h**

ITEM TITLE: First Reading and Public Hearing - Ordinance 2020-006 – LSCPA and Site-Specific Amendment - 27.74 Acres ± - CR 466A-W Oliver Lane – Petitioner: Lake County School District

For the Meeting of: October 22, 2020

Submitted by: City Attorney/City Manager/Community Development Director

Date Submitted: October 13, 2020

Funds Required: No.

Attachments: Proposed ordinance, development application, newspaper proof, location map, Exhibit A, legal description and Exhibit B proposed future land use map.

Item Description: Proposed Ordinance 2020-006 providing for a Large-Scale Comprehensive Plan Amendment and Site-Specific Amendment by amending the future land use plan designation to commercial high intensity of 27.74± acres of property located north of County Road 466A and west of Oliver Lane. (The second reading will be held on November 12, 2020.)

The Planning and Zoning Board held its meeting on October 15, 2020.

Action to be Taken: Approve Ordinance 2020-006.

Staff's Recommendation: Approval

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE 2020-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A LARGE SCALE COMPREHENSIVE PLAN AMENDMENT AND SITE SPECIFIC AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO COMMERCIAL HIGH INTENSITY OF 27.74 +/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER LANE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Benchmark Development I, LLC as applicant, on behalf of School Board of Lake County as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Commercial High Intensity" under the Comprehensive Plan for the City of Fruitland Park; and

WHEREAS, the required notice of the proposed large scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Planning and Zoning Commission of the City of Fruitland Park and the Local Planning Agency for the City of Fruitland Park have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Commission of the City of Fruitland Park.

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

Section 1: The following described property consisting of approximately 27.74 ± acres generally located north of CR 466A and west of Oliver Lane as described and depicted as set forth on Exhibit "A" shall be assigned a land use designation of Commercial – High Intensity under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference. The land use plan amendment also includes a text amendment to the Future Land Use Goals, Objectives, and Policies as follows:

Policy 1-10.1: Fruitland Park Commons. The City of Fruitland Park will enforce development standards on the Fruitland Park Commons property in order to ensure coordination of public facilities, including transportation demand. Development shall meet the applicable goals, objectives and policies of the Comprehensive Plan; however, the land use and development potential made available by the FLUM Amendment is hereby limited as follows:

- The Amendment parcel shall be developed under the zoning classification of Commercial Planned Unit Development (CPUD) to address maximum intensity standards, site design, setbacks, buffering and access issues.
- Commercial development shall be limited to a maximum of 140,000 square feet.

- The maximum number of hotel rooms shall be limited to 130.
- Development is required to be served by central potable water and central sanitary sewer facilities.
- The commercial square footage and number of hotel rooms may deviate up to 20% based on a traffic conversion matrix approved by the City of Fruitland Park City Commission.

Section 2: A copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Fruitland Park as a matter of permanent record of the City, matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.

Section 3: Transmittal.

After the first public hearing, a copy hereof shall be transmitted to the Department of Economic Opportunity and the East Central Florida Regional Planning Council, the water management district, the Department of Environmental Protection, the Department of State, the Department of Transportation, Lake County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the City of Fruitland Park, Florida.

Section 4: Directions.

The City Manager or his designee, upon the effective date of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

Section 5: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7: Scrivener's Errors.

Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 8: This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2020.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

Vice-Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner DeGrave	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

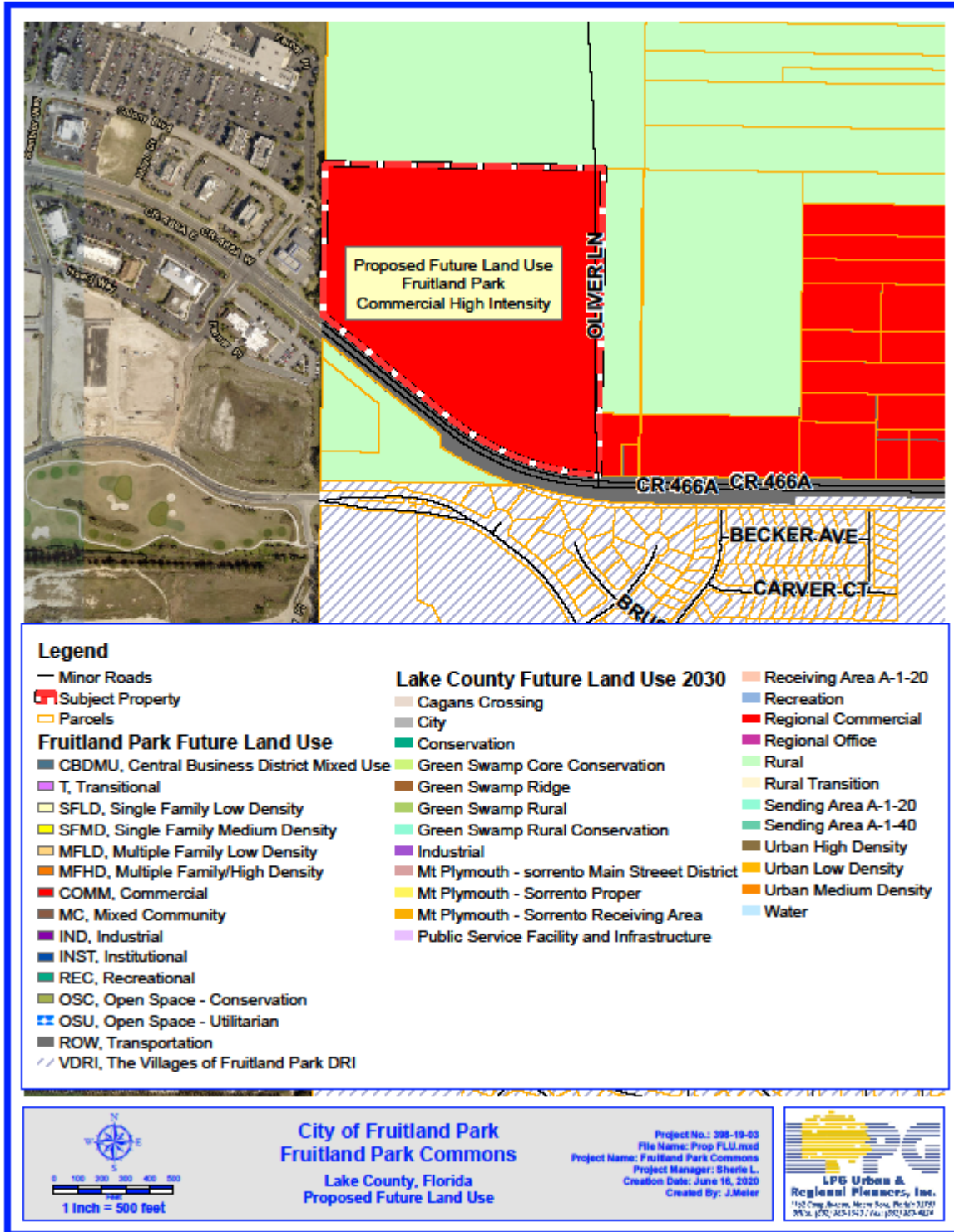
Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT A

THOSE PORTIONS OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE EAST 1/4 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING NORTHERLY AND NORTHEASTERLY OF THE NORTHERLY AND NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS IT CURRENTLY EXISTS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6" X 6" CONCRETE MONUMENT WITH A NAIL AND NO IDENTIFICATION LOCATED AT THE SOUTHWEST CORNER OF THE SW 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE ON A BEARING RELATED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE, RUN N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 2028.33 FEET FOR A POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS DESCRIBED IN OFFICIAL RECORDS BOOK 4485, PAGE 481, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. FROM SAID POINT OF BEGINNING, CONTINUE THENCE N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 625.67 FEET TO AN IRON AXLE LOCATED AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 89°06'05" E, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 1161.46 FEET TO A 4" X 4" CONCRETE MONUMENT LABELED "LB4709" LOCATED AT THE NORTHEAST CORNER OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 00°50'23" W, ALONG THE EAST LINE OF THE SAID WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1259.66 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A ACCORDING TO THAT CERTAIN PARTIAL RELEASE OF ROAD RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN OFFICIAL RECORDS BOOK 4537, PAGE 1095, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY TO WHICH A RADIAL LINE BEARS S 03°26'08" W; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AND THE ARC OF CURVE THROUGH A CENTRAL ANGLE OF 11°51'54", AN ARC LENGTH OF 223.92 FEET TO A POINT ON THE NORTH LINE OF THAT CERTAIN RIGHT OF WAY RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN DEED BOOK 237, PAGE 336, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N 89°07'03" W, ALONG SAID NORTH LINE, A DISTANCE OF 25.87 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 466A, SAID POINT BEING A POINT OF NON-TANGENCY ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1375.39 FEET TO WHICH A RADIAL LINE BEARS S 17°41'16" W; DEPARTING SAID RIGHT OF WAY RESERVATION, THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND ARC OF CURVE, THROUGH A CENTRAL ANGLE OF 21°33'10", AN ARC LENGTH OF 517.39 FEET TO THE POINT OF TANGENCY; THENCE N 50°45'41" W, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 585.35 FEET TO THE POINT OF BEGINNING.

EXHIBIT B



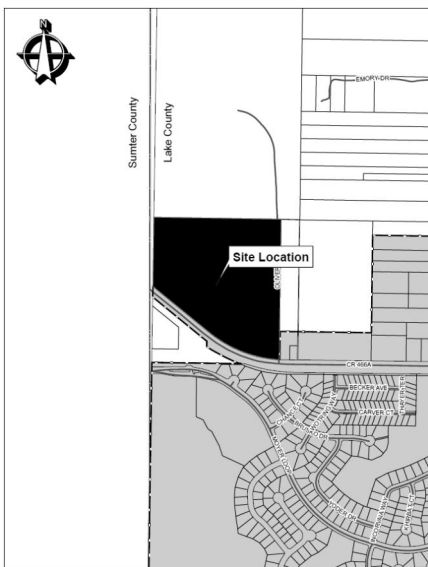
NOTICE OF PUBLIC HEARINGS ORDINANCE 2020-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A LARGE SCALE COMPREHENSIVE PLAN AMENDMENT AND SITE SPECIFIC AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO COMMERCIAL HIGH INTENSITY OF 27.74 +/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER LANE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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

- Fruitland Park Planning & Zoning Board Meeting
on October 15, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on October 22, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on November 12, 2020 at 6:00 p.m.
- Land Planning Agency Meeting
on November 12, 2020 at 6:15 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. The meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time certain. The proposed ordinance and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested



parties may appear at the meetings and will be heard with respect to the proposed ordinance.

A person who decides to appeal any decision made by any board, agency or council 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 upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Esther Coulson, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6i

ITEM TITLE: First Reading and Quasi-Judicial Public Hearing - Ordinance 2020-007 – Rezoning 27.74± Acres – AG to CPUD and Master Development Agreement Approval - Petitioner: Lake County School Board

For the Meeting of: October 22, 2020

Submitted by: City Attorney/City Attorney/Community Development Director

Date Submitted: October 13, 2020

Funds Required: No.

Attachments: Proposed ordinance, conceptual plan, development application, and affidavits, newspaper proof, location map and proposed zoning map, master development agreement and staff report.

Item Description: Proposed Ordinance 2020-007 Rezoning 27.74± acres of property from Lake County Agriculture (AG) to City of Fruitland Park Commercial Planned Unit Development (CPUD) within the city limits of Fruitland Park; approving a Master Development Agreement for the property. (The second reading will be held on November 11, 2020.)

The Planning and Zoning Board meeting was held on October 15, 2020.

Action to be Taken: Approve the LPA’s recommendation and approve Ordinance 2020-007.

Staff’s Recommendation: Approval

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

RESOLUTION 2004-014

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA; RELATING TO QUASI-JUDICIAL HEARINGS; ESTABLISHING PROCEDURES FOR THE DISCLOSURE OF EX PARTE COMMUNICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statute 286.0115 allows municipalities to remove the presumption of prejudice attached to ex parte communications with local public officials in quasi-judicial proceedings through the adoption of a resolution or ordinance establishing a process for the disclosure of such communications; and

WHEREAS, the City Commission of the City of Fruitland Park desires to implement the provisions of F.S. 286.0115 with respect to quasi-judicial proceedings which occur before the City Commission as well as city boards and committees.

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

Section 1. The following procedures shall apply with regards to any quasi-judicial matters before the City Commission or any board or committee of the City:

**Procedures for quasi-judicial hearings;
Disclosure of ex parte communications.**

(a) *Intent.* Pursuant to Section 286.0115(1), Florida Statutes, it is the intent of the city commission that this section is intended to remove the presumption of prejudice from *ex parte* communications with city officials and to permit, among other things, site visits, the receipt of expert opinion, and the review of mail and other correspondence relating to quasi-judicial proceedings by said city officials. .

(b) *Definitions.* As used in this section, the following terms shall be defined as follows:

- (1) "City official" means and refers to any elected or appointed public official holding a municipal position or office who recommends or takes quasi-judicial action as a member of a city board, commission, or committee, including, but not limited to, a member of the city commission, the code enforcement board, the planning and zoning board, or the local planning agency.
- (2) "*Ex parte* communication" means a communication involving a city official and a member of the public, regarding a pending quasi-judicial action, such that the city official may be exposed to only one perspective

or part of the evidence with regard to a quasi-judicial action pending before the commission or board on which the city official serves. *Ex parte* communications occur at other than a public meeting of the board on which the city official serves at which the quasi-judicial action discussed has been publicly noticed.

- (3) "Member of the public" refers to any person interested in a quasi-judicial action, including, but not limited to, an applicant, an officer or member of a homeowner's association, an officer or member of an environmental, homebuilding/development, or concerned citizen's organization, an official or employee of a governmental entity other than the City, a developer, a property owner, or an interested citizen, or a representative of or attorney for any of the foregoing.
- (4) "Quasi-judicial" refers to a land use, land development, zoning, or building related permit, application or appeal, as set forth below, in which city officials give notice and an opportunity to be heard to certain substantially affected persons, investigate facts, ascertain the existence of facts, hold hearings, weigh evidence, draw conclusions from the facts, and apply the law to the facts, as the basis for their decision.
- (5) "Site visit" means an inspection of real property subject to an application for any quasi-judicial action prior to a public hearing on the application conducted by a city official. The mere act of driving by a site in the daily course of driving to a particular location, such as work or a particular store, which act is not undertaken for the purpose of inspecting a particular parcel of real property is not a site visit for purposes of this section.

(c) *Ex parte communications between city officials and members of the public.*

- (1) A member of the public not otherwise prohibited by statute, charter provision or ordinance may have an *ex parte* communication with any city official regarding any quasi-judicial matter on which action may be taken by the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) below.
- (2) Except as otherwise provided by statute, charter provision, or ordinance, any city official may have an *ex parte* communication with any expert witness or consultant regarding any quasi-judicial matter on which action may be taken by the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) below. Nothing here,

however, shall restrict a city official access to city staff or expert witness or consultant retained by the City.

(3) Disclosure.

- (A) All city officials shall disclose the occurrence of all *ex parte* communications or discussions with a member of the public or an expert witness or consultant involving said city official which relate to the quasi-judicial action pending before the commission or board on which the city official serves.
- (B) Disclosure shall occur by no later than the final public hearing, or if no formal public hearing is held, then any hearing at which the final decision regarding the quasi-judicial matter is made. The city official shall disclose the *ex parte* communication verbally or by memorandum. Any such memorandum disclosing the occurrence of the *ex parte* communication shall be placed in the official file regarding the pending quasi-judicial matter which file shall be maintained in the City Clerk's records.
- (C) At the time of disclosure, the city official shall identify the person, group, or entity with whom the *ex parte* communication took place, the substance of the *ex parte* communication, and any matters discussed which are considered by the city official to be material to said city official's decision in the pending quasi-judicial matter.
- (d) *Oral or written communications between city staff and city officials.* City officials may discuss quasi-judicial matters pending before the commission or board on which said city official serves with city staff without the requirement to disclose pursuant to sub-section (c)(3) above.
- (e) *Site visits by city officials.* Any city official may conduct a site visit of any property related to a quasi-judicial matter pending before the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) above. Any disclosure of a site visit pursuant to sub-section (c)(3) shall disclose the existence of the site visit, and any information obtained by virtue of the site visit considered by the city official to be material to said official's decision regarding the pending quasi-judicial matter.
- (f) *Review of mail, correspondence, and written communications by city officials.* Any city official may review mail, correspondence, or written communications, related to a quasi-judicial matter pending before the commission or board on which the city official serves. Upon review of the mail, correspondence, or

written communication, the document shall be placed in the official file regarding the pending quasi-judicial matter and maintained in the city clerk's records.

- (g) *City clerk's file.* All correspondence, mail, or written communications reviewed by city officials prior to the final hearing on a pending quasi-judicial matter shall be placed in the official file regarding said matter and maintained by the city clerk. Said correspondence, mail, or written communications reviewed by city officials prior to the final hearing on a pending quasi-judicial matter, or any disclosure memoranda as described in sub-section (c)(3)(B), shall be available for public inspection. By no later than the final public hearing, or if no formal public hearing is held, then at any hearing at which the final decision regarding the quasi-judicial matter is made, the city clerk shall make said correspondence, mail, written communications, or other matters, and any disclosure memoranda placed in the official file, a part of the record. All of the foregoing documents shall be received by the commission or board as evidence, with the exception of disclosure memoranda, subject to any objections interposed by participants at the hearing.
- (h) *Opportunity to comment upon substance of disclosure.* At such time that a disclosure regarding an *ex parte* communication, receipt of an expert opinion, site visit, or review of mail, correspondence, or other written communication is made a part of the record at a hearing, persons who may have opinions or evidence contrary to those expressed in the *ex parte* communication, expert opinion, or mail, correspondence, or other written communication, or noted during the site visit, shall be given a reasonable opportunity to refute or respond and provide contrasting information, evidence, or views.

Section 2. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

Section 3. This resolution shall be effective upon passage.

PASSED AND RESOLVED this 24th day of June, 2004, by the City Commission of the City of Fruitland Park, Florida.



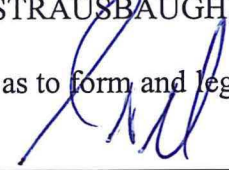
JOHN L. GUNTER, JR., VICE MAYOR

ATTEST:



MARGE STRAUSBAUGH, CITY CLERK

Approved as to form and legality:



Scott A. Gerken, City Attorney



Select Year:

The 2018 Florida Statutes

[Title XIX](#)[Chapter 286](#)[View Entire Chapter](#)[PUBLIC BUSINESS](#)[PUBLIC BUSINESS: MISCELLANEOUS PROVISIONS](#)**286.0115 Access to local public officials; quasi-judicial proceedings on local government land use matters.** –

(1)(a) A county or municipality may adopt an ordinance or resolution removing the presumption of prejudice from ex parte communications with local public officials by establishing a process to disclose ex parte communications with such officials pursuant to this subsection or by adopting an alternative process for such disclosure. However, this subsection does not require a county or municipality to adopt any ordinance or resolution establishing a disclosure process.

(b) As used in this subsection, the term “local public official” means any elected or appointed public official holding a county or municipal office who recommends or takes quasi-judicial action as a member of a board or commission. The term does not include a member of the board or commission of any state agency or authority.

(c) Any person not otherwise prohibited by statute, charter provision, or ordinance may discuss with any local public official the merits of any matter on which action may be taken by any board or commission on which the local public official is a member. If adopted by county or municipal ordinance or resolution, adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with local public officials.

1. The substance of any ex parte communication with a local public official which relates to quasi-judicial action pending before the official is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made a part of the record before final action on the matter.

2. A local public official may read a written communication from any person. However, a written communication that relates to quasi-judicial action pending before a local public official shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

3. Local public officials may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.

4. Disclosure made pursuant to subparagraphs 1., 2., and 3. must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication. This subsection does not subject local public officials to part III of chapter 112 for not complying with this paragraph.

(2)(a) Notwithstanding the provisions of subsection (1), a county or municipality may adopt an ordinance or resolution establishing the procedures and provisions of this subsection for quasi-judicial proceedings on local government land use matters. The ordinance or resolution shall provide procedures and provisions identical to this subsection. However, this subsection does not require a county or municipality to adopt such an ordinance or resolution.

(b) In a quasi-judicial proceeding on local government land use matters, a person who appears before the decisionmaking body who is not a party or party-intervenor shall be allowed to testify before the decisionmaking

body, subject to control by the decisionmaking body, and may be requested to respond to questions from the decisionmaking body, but need not be sworn as a witness, is not required to be subject to cross-examination, and is not required to be qualified as an expert witness. The decisionmaking body shall assign weight and credibility to such testimony as it deems appropriate. A party or party-intervenor in a quasi-judicial proceeding on local government **land** use matters, upon request by another party or party-intervenor, shall be sworn as a witness, shall be subject to cross-examination by other parties or party-intervenors, and shall be required to be qualified as an expert witness, as appropriate.

(c) In a quasi-judicial proceeding on local government **land** use matters, a person may not be precluded from communicating directly with a member of the decisionmaking body by application of ex parte communication prohibitions. Disclosure of such communications by a member of the decisionmaking body is not required, and such nondisclosure shall not be presumed prejudicial to the decision of the decisionmaking body. All decisions of the decisionmaking body in a quasi-judicial proceeding on local government **land** use matters must be supported by substantial, competent evidence in the record pertinent to the proceeding, irrespective of such communications.

(3) This section does not restrict the authority of any board or commission to establish rules or procedures governing public hearings or contacts with local public officials.

History.—s. 1, ch. 95-352; s. 31, ch. 96-324.

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 6i

ITEM TITLE: First Reading and Quasi-Judicial Public Hearing - Ordinance 2020-007 – Rezoning 27.74± Acres – AG to CPUD and Master Development Agreement Approval - Petitioner: Lake County School Board

For the Meeting of: October 22, 2020

Submitted by: City Attorney/City Attorney/Community Development Director

Date Submitted: October 13, 2020

Funds Required: No.

Attachments: Quasi-judicial process, proposed ordinance, conceptual plan, development application, and affidavits, newspaper proof, location map and proposed zoning map, master development agreement and staff report.

Item Description: Proposed Ordinance 2020-007 Rezoning 27.74± acres of property from Lake County Agriculture (AG) to City of Fruitland Park Commercial Planned Unit Development (CPUD) within the city limits of Fruitland Park; approving a Master Development Agreement for the property. (The second reading will be held on November 11, 2020.)

The Planning and Zoning Board meeting was held on October 15, 2020.

Action to be Taken: Approve the LPA's recommendation and approve Ordinance 2020-007.

Staff's Recommendation: Approval

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE 2020-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 27.74 ± ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO CITY OF FRUITLAND PARK COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Benchmark Development I, LLC, as Applicant, on behalf of School Board of Lake County, Owner, requesting that approximately 27.74 acres of real property generally located north of CR 466A and west of Oliver Lane (the "Property") be rezoned from Lake County Agriculture (AG) to Commercial Planned Unit Development (CPUD) within the city limits of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed rezoning has been properly published; and

WHEREAS, the City Commission reviewed said petition, the recommendations of the Planning and Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

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

Section 1. The following described property consisting of approximately 27.74 ± acres of land generally located north of CR 466A and west of Oliver Lane shall hereafter be designated as CPUD, Commercial Planned Unit Development, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described and depicted as set forth on Exhibit "A".

Section 2. That the City Manager, or designee, is hereby directed to have amended, altered, and implemented the official zoning maps of the City of Fruitland Park, Florida to include said designation consistent with this Ordinance.

Section 3. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. Scrivener's Errors. Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 5. Conflict. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2020.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

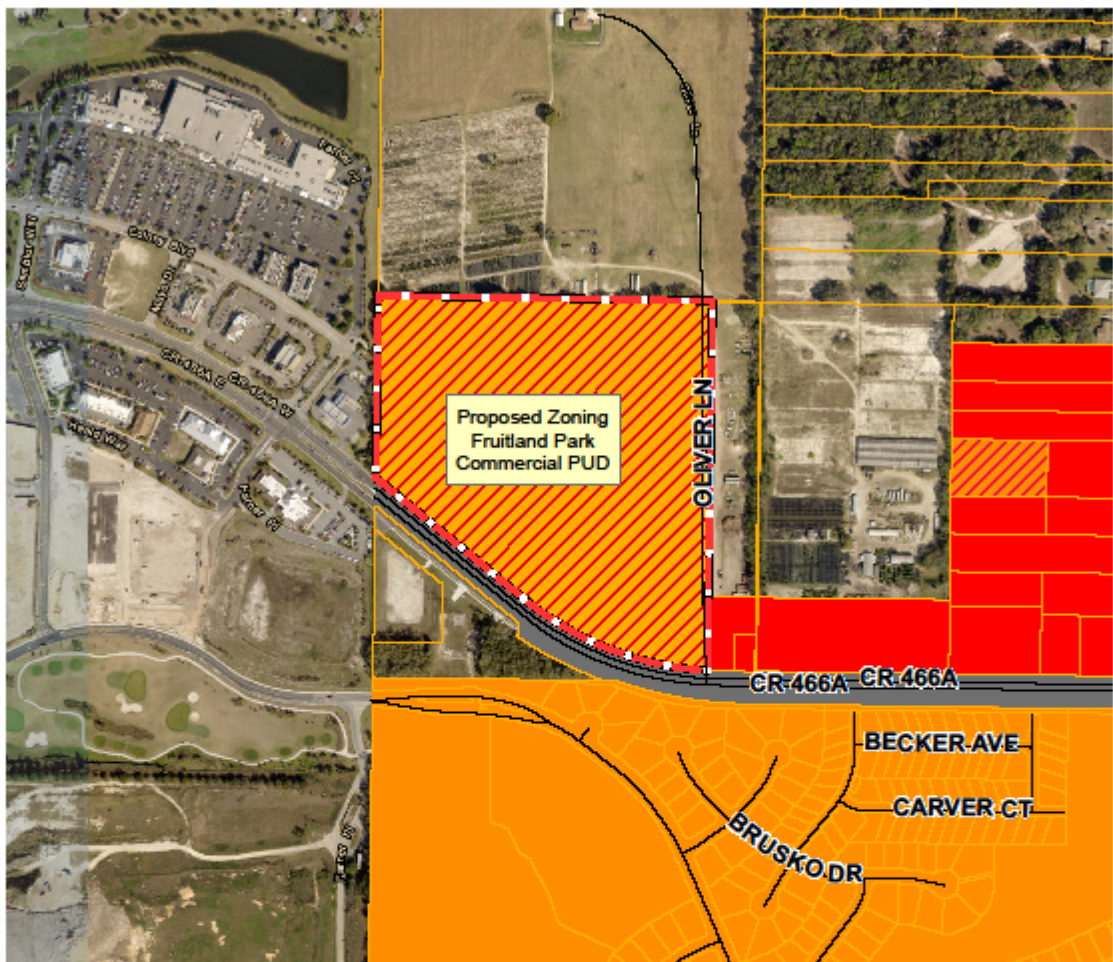
Vice-Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner DeGrave	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Mobilian	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT "A"
LEGAL DESCRIPTION

THOSE PORTIONS OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE EAST 1/4 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING NORTHERLY AND NORTHEASTERLY OF THE NORTHERLY AND NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS IT CURRENTLY EXISTS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6" X 6" CONCRETE MONUMENT WITH A NAIL AND NO IDENTIFICATION LOCATED AT THE SOUTHWEST CORNER OF THE SW 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE ON A BEARING RELATED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE, RUN N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 2028.33 FEET FOR A POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS DESCRIBED IN OFFICIAL RECORDS BOOK 4485, PAGE 481, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. FROM SAID POINT OF BEGINNING, CONTINUE THENCE N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 625.67 FEET TO AN IRON AXLE LOCATED AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 89°06'05" E, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 1161.46 FEET TO A 4" X 4" CONCRETE MONUMENT LABELED "LB4709" LOCATED AT THE NORTHEAST CORNER OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 00°50'23" W, ALONG THE EAST LINE OF THE SAID WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1259.66 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A ACCORDING TO THAT CERTAIN PARTIAL RELEASE OF ROAD RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN OFFICIAL RECORDS BOOK 4537, PAGE 1095, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY TO WHICH A RADIAL LINE BEARS S 03°26'08" W; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AND THE ARC OF CURVE THROUGH A CENTRAL ANGLE OF 11°51'54", AN ARC LENGTH OF 223.92 FEET TO A POINT ON THE NORTH LINE OF THAT CERTAIN RIGHT OF WAY RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN DEED BOOK 237, PAGE 336, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N 89°07'03" W, ALONG SAID NORTH LINE, A DISTANCE OF 25.87 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 466A, SAID POINT BEING A POINT OF NON-TANGENCY ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1375.39 FEET TO WHICH A RADIAL LINE BEARS S 17°41'16" W; DEPARTING SAID RIGHT OF WAY RESERVATION, THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND ARC OF CURVE, THROUGH A CENTRAL ANGLE OF 21°33'10", AN ARC LENGTH OF 517.39 FEET TO THE POINT OF TANGENCY; THENCE N 50°45'41" W, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 585.35 FEET TO THE POINT OF BEGINNING.

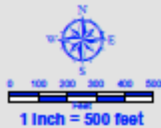


Legend

- Minor Roads
- ▭ Subject Property
- ▭ Parcels

FP Zoning

- | | |
|--|--|
| ▭ R-2, Residential Single Family Home - Low Density | ▭ C-1, Neighborhood Commercial |
| ▭ R-4, Residential Single Family Home - Medium Density | ▭ C-2, General Commercial |
| ▭ R-8, Medium Density Residential | ▭ IND, Industrial |
| ▭ R-15, Multi-Family Residential - High Density | ▭ PUD, Planned Unit Development |
| ▭ R-10, High Density Residential/Neighborhood Commercial | ▭ CPUD, Commercial Planned Unit Development District |
| ▭ RP, Residential Professional | ▭ IND-PUD, Industrial PUD |
| | ▭ MPUD, Mixed Use PUD |
| | ▭ PFD, Public Facilities District |
| | ▭ GB, Green Belt District |
| | ▭ ROW, Right-of-Way |



City of Fruitland Park
Fruitland Park Commons
 Lake County, Florida
 Proposed Zoning

Project No.: 398-19-03
 File Name: Prop Zoning.mxd
 Project Name: Fruitland Park Commons
 Project Manager: Sherie L.
 Creation Date: June 16, 2020
 Created By: J.Meier



Record and Return to:
City of Fruitland Park
Attn: City Clerk
506 W. Berckman Street
Fruitland Park, Florida 34731

*****SUBJECT TO REVIEW BY CITY ATTORNEY*****

MASTER DEVELOPMENT AGREEMENT

THIS AGREEMENT is entered into and made as of the ____th day of _____, 2021, between the CITY OF FRUITLAND PARK, FLORIDA, a Florida municipal corporation, (hereinafter referred to as the "City"), and THE SCHOOL BOARD OF LAKE COUNTY (hereinafter referred to as the "Owner").

RECITALS

1. The Owner desires to annex and rezone approximately 27.74 ± acres of property within the City of Fruitland Park, described and depicted as set forth on Exhibit "A" attached to and incorporated in this Agreement (hereafter referred to as the "Property").
2. The Property is currently located within Lake County and is currently zoned Lake County "Agriculture" with a future land use designation of "Rural" on the Lake County Future Land Use Map.
3. Owner has filed applications for annexation, large scale comprehensive plan amendment from Lake County "Rural" to City of Fruitland Park "Commercial - High Intensity", and rezoning from Lake County "Agriculture" to City of Fruitland Park "Commercial Planned Unit Development" for the Property.
4. Owner represents that it is the sole legal owner of the Property and that it has the full power and authority to make, deliver, enter into, and perform pursuant to the terms and conditions of this Agreement and has taken all necessary action to authorize the execution, delivery, and performance of the terms and conditions of this Agreement.
5. The City of Fruitland Park has determined that the rezoning of the Property and the proposal for its development presents, among other things, an opportunity for the City to secure quality planning and growth, protection of the environment, and a strengthened and revitalized tax base.
6. Owner will fund certain public improvements and infrastructure to facilitate the development of the Property.
7. The Property is within the City's Chapter 180, Florida Statutes, utility district, and Owner has requested and City desires to provide water and sewer as well as other municipal services to the Property.

ACCORDINGLY, in consideration of the mutual benefits and the public interest and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals. The above recitals are true and correct, are hereby incorporated herein by reference, and form a material part of this Agreement. All exhibits to this Agreement are hereby deemed a part thereof.

Section 2. Conditions Precedent. Owner has filed an application for a large scale comprehensive plan amendment and rezoning for the Property. It is understood and agreed to by the City and the Owner that this Agreement shall not be binding or enforceable as to any party unless and until: a) the City duly adopts the Agreement, adopts an ordinance amending the comprehensive future land use map and such amendment becomes effective, and adopts an ordinance rezoning the Property and such rezoning becomes effective. The parties hereto understand and acknowledge that the City is in no way bound to amend the future land use map or rezone the Property. The City shall have the full and complete right to approve or deny the application for rezoning and comprehensive plan map amendment. However, if the City denies the application for rezoning or the comprehensive plan map amendment, this Agreement shall be void and shall be of no further force and effect.

Section 3. Land Use/Development. Development of the Property shall be substantially consistent with the "Conceptual Site Plan" prepared by Benchmark Development I, LLC, dated _____, and attached as **Exhibit "B"** (the "Plan"). The project shall be developed as a commercial shopping center. All development shall be consistent with City's "PUD" (Planned Unit Development/Commercial) zoning district and, subject to City approval. As set forth further below, all land use issues addressed herein must be adopted by City through its regular procedures before being effective.

Section 4. Permitted Uses. Permitted Uses shall include:

- a. Appliance/Electronic Repair Shops
- b. Banks.
- c. Business Services.
- d. Commercial/Industrial Equipment and Supplies.
- e. Convenience Store with or without fuel operations.
- f. Day Care Centers.
- g. Fast Food with or without drive thru facilities.
- h. Financial Services.
- i. Furniture and Appliance Stores.
- j. Health/Exercise Clubs.
- k. Hotels/Motels.
- l. Kennels.
- m. Medical Office/Clinic.
- n. Offices.
- o. Personal Services.
- p. Restaurants.
- q. Retail Home Building Materials.
- r. Retail Sales and Services.
- s. Shopping Center.
- t. Veterinary Clinic.
- u. Temporary modular office uses shall be allowed during construction.
- v. Total Commercial Square footage shall not exceed 140,000 square feet which includes the out parcels. The maximum single tenant building shall not exceed 50,000 square feet. The maximum building square footage for the out parcels shall not exceed 20,000 square feet total.
- w. Maximum number of hotel rooms shall not exceed 130.

Section 5. Commercial Development Standards. Development Standards shall be as follows:

- a. Minimum Setback requirements for commercial shall be:
Front: CR 466A - Fifty feet (50') *conceptual site plan shows 25' front setback

Eastern Side: Fifteen feet (15')

Western Side: Thirty feet (30')

Rear: Twenty-five feet (25')

Accessories Setback: All accessory structures shall be located no closer to the property line than fifteen feet (15').

- b. The maximum impervious surface ratio for the property (which includes building coverage) shall be limited to seventy percent (70%).
- c. The maximum floor area ratio shall not exceed fifty percent (50%).
- d. A minimum of twenty-five (25) percent of the property shall be open space.
- e. Maximum building height along CR 466A shall be limited to two (2) stories (from finished grade). Maximum building height, excluding along CR 466A shall be limited to four (4) stories (from finished grade) provided that adequate fire protection measures are provided as determined by the City Fire Inspector and Building Official.
- f. Parking: The Applicant will be required to meet the parking requirements of the Fruitland Park Land Development Regulations.
- g. Commercial access: Access to the commercial development areas shall be primarily from the entrance boulevard with access to CR 466A. Pedestrian access shall be provided to the commercial area and shall be reviewed during the site plan or subdivision review process.
- h. Pedestrian access shall be provide through sidewalk and/or walkways connecting all buildings within the development. Pedestrian access shall include consideration of sidewalks, recreational trails/paths, etc., to adjoining properties.
- i. Sidewalks shall be installed per City of Fruitland Park codes and specifications.
- j. All pedestrian crossing areas shall be visibly marked with appropriate crossing signage and striping. Intersections shall have street pavers, striping or similar materials approved through the appropriate site plan and/or building permit process, to allow safe crossing points and pedestrian access to all structures.

Section 6. Signage. A master signage plan shall be provided at time of site plan/construction plan. All ground signs for the property shall be monument style signs with design and architectural style consistent with the overall development, and consistent with the requirements of the sign regulations of the Fruitland Park Land Development Regulations. Ground signs may not be permitted on undeveloped property. All wall signage shall be designed and constructed to comply with the standards and requirements of the Fruitland Park Land Development Regulations.

Section 7. Commercial Design Standards. The Applicant shall be required to meet the nonresidential design standard requirements of the Fruitland Park Land Development Regulations.

Section 8. Development Phasing. The proposed project may be constructed in phases in accordance with the Planned Unit Development Master Plan (attached as part of these conditions). Changes to the Development Plan, other than those conditions described in this agreement, shall be revised in accordance with the Planned Unit Development review process.

Section 9. Site Access and Transportation Improvements. Vehicular access to the project site shall be provided by a minimum of two access points, one primary access on CR 466A and one access to the east. If only one primary access is from CR 466A it shall be through a divided landscaped boulevard type road. Actual location and design of the boulevard shall be determined during the Site Plan and/or Preliminary Subdivision Plan review process and shall include consideration of sidewalks on both sides of

the boulevard. Other potential vehicular and pedestrian accesses will be reviewed during the development review process.

- a. The Permittee shall provide all necessary improvements/signalization within and adjacent to the development as required by Lake County and City of Fruitland Park.
- b. All roads within the development shall be designed and constructed by the developer to meet the City of Fruitland Park requirements.
- d. The City of Fruitland Park will not be responsible for the maintenance or repair of any of the roads or transportation improvements. The Permittee shall establish an appropriate legal entity that will be responsible to pay the cost and perform the services to maintain the roads and transportation improvements.
- e. A traffic/transportation study shall be submitted prior to site plan or preliminary subdivision approval for review and determination of any necessary access or off-site improvements if required by Florida Department of Transportation, Lake County or the City of Fruitland Park. Said improvements will be the responsibility of the Permittee.
- f. At such time that traffic signals are warranted at the proposed project entrance, the Permittee shall pay their pro-rata share of the cost of the signal(s) as determined by City staff.
- g. Transit bus stop. The proposed development lies along and near major transportation routes, a covered transit bus stop, adjacent to the boundary of the property, or located such that it meets the approval standards, codes and requirements of the City of Fruitland Park, and Lake County shall be provided by the developer if required by Lake County Transit. If required, the transit bus stop shall be constructed prior to the certificate of occupancy for the first commercial building.

Section 10. Lighting. All exterior lighting shall be arranged to reflect light away from adjacent properties to the greatest extent possible while providing lighting adequate to ensure safety on road right of way and parking areas. Lighting shall comply with the nonresidential design requirements of the Fruitland Park Land Development Regulations.

Section 11. Water, Wastewater, and Reuse Water. Subject to the terms herein, Owner and their successors and assigns agree to obtain water, reuse water, irrigation water, and wastewater service (hereafter, "Utilities") exclusively through purchase from City. Owner covenants and warrants to City that it will not engage in the business of providing such Utilities to the Property or within City's F.S. Chapter 180 utility district. Notwithstanding the foregoing, private wells for irrigation purposes will be allowed within the Property so long as such wells are approved and permitted by the St. Johns River Water Management District (the "District") and comply with the rules and regulations of the District. Owner shall construct, at Owner's expense, all on-site utility facilities (e.g. lift stations and lines) as well as pay for the extension of facilities from City's current point of connection. Owner shall also construct, at Owner's expense, "dry" utility lines for reclaimed water purposes. All such improvements must be constructed to City requirements and transferred to City as a contribution in aid of construction.

Section 12. Impact Fees. Owner shall be required to pay impact fees as established by City from time to time, including water and wastewater impact fees. The amount to be paid shall be the adopted impact fee rate at the time the building permit is issued.

Owner agrees to pay all other impact fees and any impact fees adopted after the execution of this Agreement as building permits are issued. If impact fees increase from the time they are paid until the building permit is issued, Owner shall pay the incremental increased amount at the time building permits are issued. Prepayment of utility impact fees and acceptance by City of such fees shall reserve capacity.

No capacity is reserved until or unless such fees have been paid pursuant to an agreement with City. Owner agrees and understands that no capacity has been reserved and that Owner assumes the risk that capacity will be available. Accordingly, if capacity is available at the time of site plan and City is willing to allocate such capacity to Owner, Owner shall enter into a reservation agreement and any other utility agreements or easements related to the Property as requested by City from time to time.

Section 13. Easements. Owner shall provide the City such public easements or right of way in form acceptable to the City Attorney, as the City deems necessary for utility services, including but not limited to sewer, water, drainage and reclaimed water services.

Section 14. Landscaping/Buffers. Developer has reviewed City's Land Development Regulations relating to landscaping and agrees to comply with such regulations. Owner shall install and maintain a twenty-five foot (25') landscape buffer along CR 466A; a twenty-five foot (25') buffer along the northern property boundaries, a thirty foot (30') buffer with a 6' high decorative solid wall constructed of concrete block or similar synthetic material that forms a solid opaque visual buffer, along the western property boundary, and a fifteen foot (15') buffer along the eastern property boundary as shown on the Conceptual Plan. All landscaping and tree protection shall comply with Chapter 164 of the City of Fruitland Park Land Development Regulations. Landscaping shall also be provided around building areas, a minimum of five (5) foot landscape buffer around the building perimeter on all sides visible to the general public. Owner shall maintain such areas.

Owner shall, at its sole expense, install underground irrigation systems on all common areas of the Property, as well as exercise any other measures reasonably necessary to ensure the long-term maintenance of the landscaping.

Owner shall design and construct, at its sole expense, the interior landscaped areas and islands within the parking areas of the Property in accordance with all applicable City of Fruitland Park Land Development Regulations. Owner shall maintain such areas.

Owner acknowledges City's goal of achieving a greater level of tree preservation within the City. In aid of such goal, Owner agrees to comply with all applicable City of Fruitland Park Land Development Regulations pertaining to tree removal and replacement.

Section 15. Stormwater Management. Owner agrees to provide at Owner's expense a comprehensive stormwater management system consistent with all regulatory requirements of the City and the St. John's River Water Management District. Impacts to flood plains are allowed in accordance with the Water Management District procedures for compensating storage and will be based on the 100-year floodplain established by Lake County.

Section 16. Other Municipal Facilities/Services. The City hereby agrees to provide, either directly or through its franchisees or third party providers, police and fire protection, emergency medical services, and solid waste collection, disposal, and recycling services to the Property under the same terms and conditions and in the same manner as are afforded to all other commercial property owners within the City.

Section 17. Environmental Considerations. The Owner agrees to comply with all federal, state, county, and city laws, rules and regulations regarding any environmental issues affecting the Property.

Section 18. Signage. Owner shall submit a master sign plan as a component of the final site plan (i.e., construction plan) application for the Property. Such plan shall be in compliance with all applicable regulations contained within the City of Fruitland Park Land Development Regulations, unless City grants a waiver or variance pursuant to the City's Land Development Regulations. Alternatively, the Owner, in

the Owner's discretion, may apply to amend the PUD to incorporate a Master Signage Plan at the time that the Owner desires to install signage at the development.

Section 19. Title Opinion. Owner shall provide to City, in advance of the City's execution of this Agreement, a title opinion of an attorney licensed in the State of Florida, or a certification by an abstractor or title company authorized to do business in the State of Florida, showing marketable title to the Property to be in the name of the Owner and showing all liens, mortgages, and other encumbrances not satisfied or released of record.

Section 20. Compliance with City Laws and Regulations. Except as expressly modified herein, all development of the Property shall be subject to compliance with the City Land Development Regulations and City Code provisions, as amended, as well as regulations of county, state, local, and federal agencies. All improvements and infrastructure shall be constructed to City standards.

Section 21. Due Diligence. The City and Owner further agree that they shall commence all reasonable actions necessary to fulfill their obligations hereunder and shall diligently pursue the same throughout the existence of this Agreement. The City shall further provide all other municipal services to the Property as are needed by Owner from time to time in accordance with the City's applicable policies for the provision of said services.

Section 22. Enforcement/Effectiveness. A default by either party under this Agreement shall entitle the other party to all remedies available at law. This is a non-statutory development agreement which is not subject to or enacted pursuant to the provisions of Sections 163.3220 - 163.3243, *Florida Statutes*.

Section 23. Governing Law. This Agreement shall be construed in accordance with the laws of the State of Florida and venue for any action hereunder shall be in the Circuit Court of Lake County, Florida.

Section 24. Binding Effect; Assignability. This Agreement, once effective, shall be binding upon and enforceable by and against the parties hereto and their assigns. This Agreement shall be assignable by the Owner to successive owners. Owner shall, however, provide written notice to the City of any and all such assignees. The rights and obligations set forth in this Agreement shall run with the land and be binding on all successors and/or assignees. Owner consents to the placement of a claim of lien on the Property upon default in payment of any obligation herein without precluding any other remedies of City. The parties hereby covenant that they will enforce this Agreement and that it is a legal, valid, and binding agreement.

Section 25. Waiver; Remedies. No failure or delay on the part of either party in exercising any right, power, or privilege hereunder will operate as a waiver thereof, nor will any waiver on the part of either party or any right, power, or privilege hereunder operate as a waiver of any other right, power, privilege hereunder, not will any single or partial exercise of any right, power, or privilege hereunder preclude any other further exercise thereof or the exercise of any other right, power, or privilege hereunder.

Section 26. Exhibits. All exhibits attached hereto are hereby incorporated in and made a part of this Agreement as if set forth in full herein.

Section 27. Notice. Any notice to be given shall be in writing and shall be sent by certified mail, return receipt requested, to the party being noticed at the following addresses or such other address as the parties shall provide from time to time:

As to City:	City Manager City of Fruitland Park 506 W. Berckman Street
-------------	--

	Fruitland Park, Florida 34731 352-360-6727 Telephone
Copy to:	Chris Cheshire, City Mayor City of Fruitland Park 506 W. Berckman Street Fruitland Park, Florida 34731 352-360-6727 Telephone Anita Geraci-Carver Law Office of Anita Geraci-Carver, P.A. 1560 Bloxam Avenue Clermont, Florida 34711 352-243-2801 Telephone 352-243-2768 Facsimile
As to Owner:	School Board of Lake County 201 W. Burleigh Blvd. Tavares, FL 32778
Copy to:	John Rehak Benchmark Development I, LLC 4053 Maple Road Amherst, New York 14226 941-527-9070

Section 28. Entire Agreement. This Agreement sets forth all of the promises, covenants, agreements, conditions, and understandings between the parties hereto, and supersedes all prior and contemporaneous agreements, understandings, inducements or conditions, express or implied, oral or written, except as herein contained. However, the failure of this Agreement to address a particular permit, condition, term, or restriction shall not relieve Owner from complying with the law governing said permitting requirements, conditions, terms or restrictions.

Section 29. Term of Agreement. The term of this Agreement shall commence on the date this Agreement is executed by both the City and Owner, or the effective date of the annexation of the Property, whichever occurs later, and shall terminate twenty (20) years thereafter; provided, however, that the term of this Agreement may be extended by mutual consent of the City and the Owner, subject to a public hearing.

Section 30. Amendment. Amendments to the provisions of this Agreement shall be made by the parties only in writing by formal amendment.

Section 31. Severability. If any part of this Developer's Agreement is found invalid or unenforceable in any court, such invalidity or unenforceability shall not effect the other parts of this Developer's

Agreement, if the rights and obligations of the parties contained herein are not materially prejudiced and if the intentions of the parties can be effected. To that end, this Developer's Agreement is declared severable.

IN WITNESS WHEREOF, the Owner and the City have executed this Agreement as of the day and year first above written.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

LAKE COUNTY SCHOOL BOARD

Witness Signature

By: _____

Print Name

Witness Signature

By: _____

Print Name

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____ by _____ who are personally known to me or who have produced _____ as identification and who did (did not) take an oath.

Notary Public
Notary Public - State of Florida
Commission No _____
My Commission Expires _____

ACCEPTED BY THE CITY OF FRUITLAND
PARK

Approved as to form and
Legality for use and reliance
by the City of Fruitland Park

By: _____
Chris Cheshire, Mayor

Date: _____

Anita Geraci-Carver
City Attorney

ATTEST: _____
Esther B. Coulson
City Clerk

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this ____ day of _____ by _____, _____, City Clerk of the City of Fruitland Park, Florida, who are personally known to be me and they acknowledge executing the same freely and voluntarily under authority vested in them and that the seal affixed thereto is the true and corporate seal of the City of Fruitland Park, Florida.

Notary Public
Notary Public - State of Florida
Commission No _____
My Commission Expires _____

DRAFT

EXHIBIT "A"
LEGAL DESCRIPTION

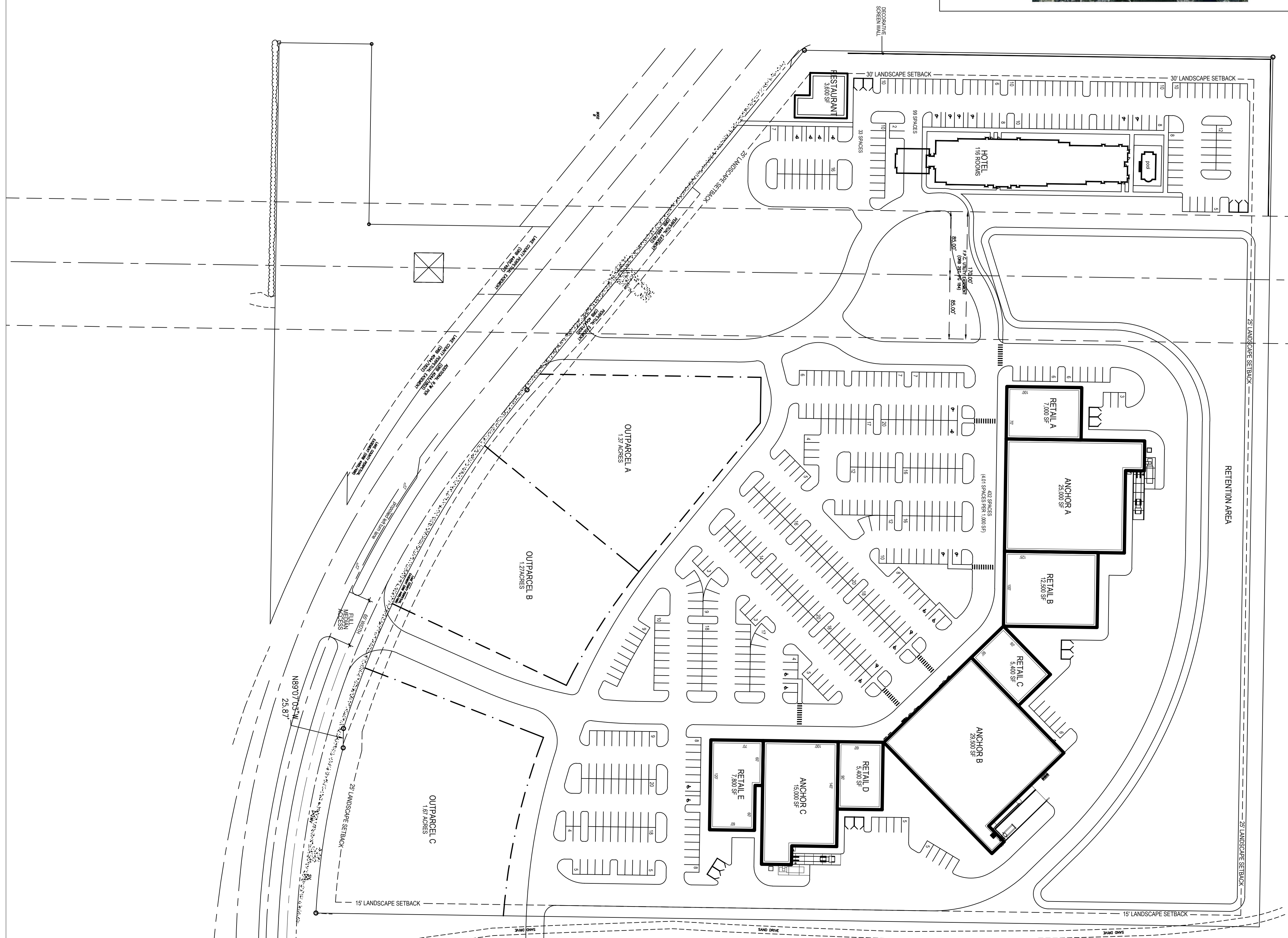
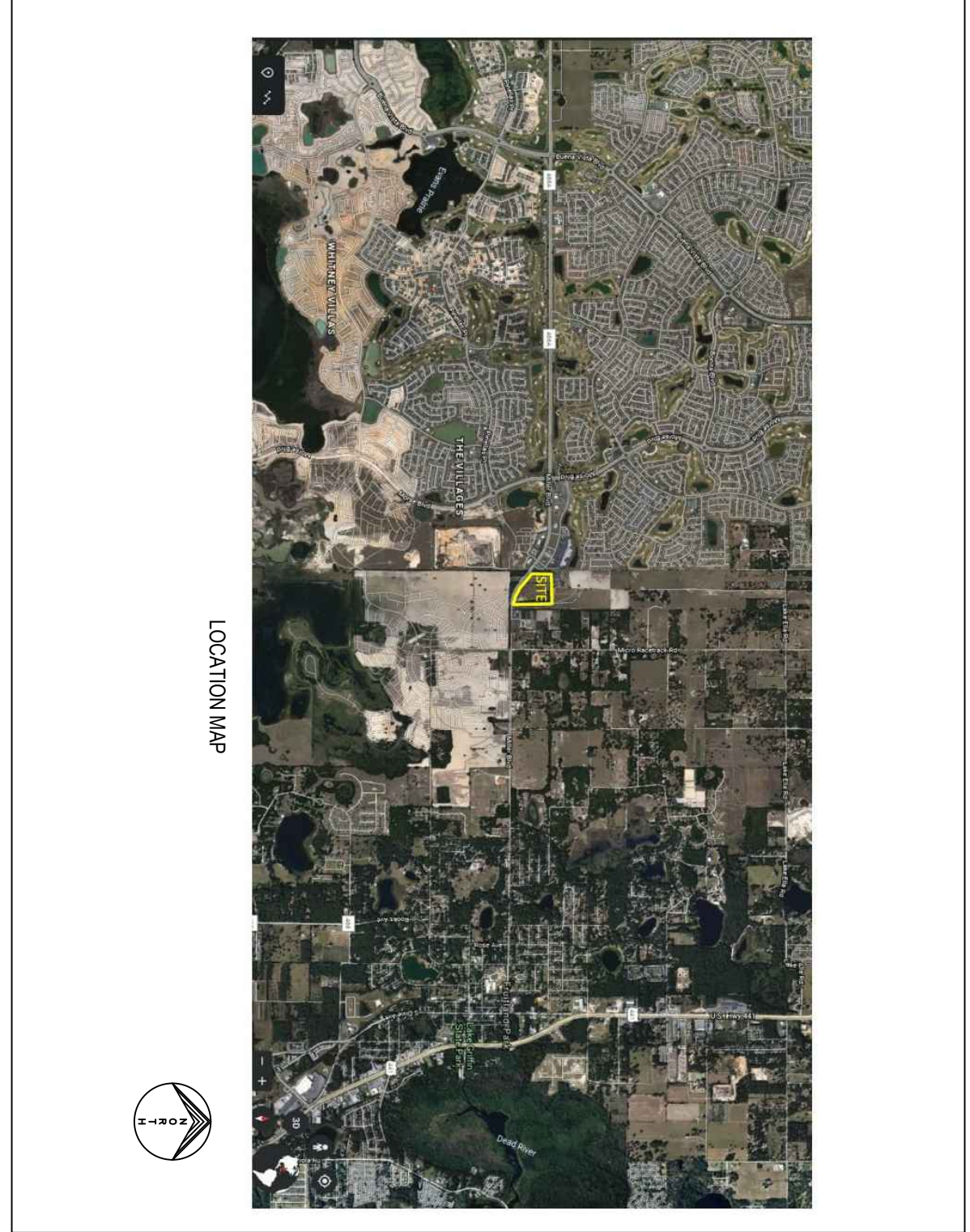
THOSE PORTIONS OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE EAST 1/4 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/2 OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE WEST 1/4 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LYING NORTHERLY AND NORTHEASTERLY OF THE NORTHERLY AND NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS IT CURRENTLY EXISTS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 6" X 6" CONCRETE MONUMENT WITH A NAIL AND NO IDENTIFICATION LOCATED AT THE SOUTHWEST CORNER OF THE SW 1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; THENCE ON A BEARING RELATED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM EAST ZONE, RUN N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 2028.33 FEET FOR A POINT OF BEGINNING, SAID POINT OF BEGINNING BEING A POINT OF INTERSECTION WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AS DESCRIBED IN OFFICIAL RECORDS BOOK 4485, PAGE 481, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. FROM SAID POINT OF BEGINNING, CONTINUE THENCE N 00°49'58" E, ALONG THE WEST LINE OF THE SW 1/4 OF SAID SECTION 6, A DISTANCE OF 625.67 FEET TO AN IRON AXLE LOCATED AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 89°06'05" E, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6, A DISTANCE OF 1161.46 FEET TO A 4" X 4" CONCRETE MONUMENT LABELED "LB4709" LOCATED AT THE NORTHEAST CORNER OF THE WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 6; THENCE S 00°50'23" W, ALONG THE EAST LINE OF THE SAID WEST 3/4 OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 1259.66 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A ACCORDING TO THAT CERTAIN PARTIAL RELEASE OF ROAD RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN OFFICIAL RECORDS BOOK 4537, PAGE 1095, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING ON A NON-TANGENT CURVE CONCAVE NORTHEASTERLY TO WHICH A RADIAL LINE BEARS S 03°26'08" W; THENCE NORTHWESTERLY ALONG SAID NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 466A AND THE ARC OF CURVE THROUGH A CENTRAL ANGLE OF 11°51'54", AN ARC LENGTH OF 223.92 FEET TO A POINT ON THE NORTH LINE OF THAT CERTAIN RIGHT OF WAY RESERVATION BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA AS RECORDED IN DEED BOOK 237, PAGE 336, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE N 89°07'03" W, ALONG SAID NORTH LINE, A DISTANCE OF 25.87 FEET TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 466A, SAID POINT BEING A POINT OF NON-TANGENCY ON A CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1375.39 FEET TO WHICH A RADIAL LINE BEARS S 17°41'16" W; DEPARTING SAID RIGHT OF WAY RESERVATION, THENCE NORTHWESTERLY ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE AND ARC OF CURVE, THROUGH A CENTRAL ANGLE OF 21°33'10", AN ARC LENGTH OF 517.39 FEET TO THE POINT OF TANGENCY; THENCE N 50°45'41" W, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 585.35 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B"

THE PLAN

DRAFT



DATA:

TOTAL AREA	27.3 ACRES
USE MAXIMUM	0.15%
PARKING STALL SIZE	10' x 20'
PARKING STALL SPACING	10' x 19' ADJACENT TO LANDSCAPE
BICYCLE PARKING SPACE	544 BICYCLE SPACES
BICYCLE PARKING SPACE	544 BICYCLE SPACES
MAXIMUM FLOOR AREA PER RETAIL	42,000 SF
MAXIMUM FLOOR AREA PER HOTEL	200,000 SF
MAXIMUM # OF HOTEL ROOMS	138 ROOMS

PARKING:
ALL PARKING SHALL BE IN ACCORDANCE WITH THE LAND DEVELOPMENT CODE UNLESS A VARIANCE IS GRANTED.

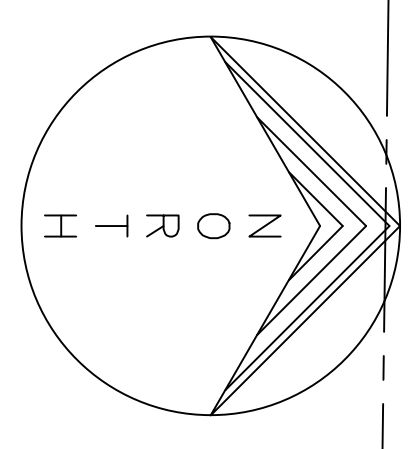
ADJACENT ZONING:
NORTH COUNTY AGRICULTURE
SOUTH COUNTY AGRICULTURE PLANNED UNIT DEVELOPMENT
EAST COUNTY AGRICULTURE (FRUITLAND PARK C-2)
WEST PLANNED UNIT DEVELOPMENT (THE PALMS), SUMMER COUNTY

BUILDING HEIGHTS:
COMMERCIAL, BLDG HEIGHT OF 35' EXCEPT FOR ARCHITECTURAL FEATURES
HOTEL, BLDG HEIGHT AND THIS HEIGHTS TO MEET FIRE CODE STANDARDS

SERVICES: CITY OF FRUITLAND PARK
WATER SEWER
NATURAL GAS
SECO

PERMITTED USES:
ANY SPACE ELECTRONIC REPAIR SHOPS
BUSINESS SERVICES
COMMERCIAL/INDUSTRIAL EQUIPMENT & SUPPLIES
CONVENIENCE STORES WITH OR WITHOUT FUEL OPERATIONS
FAST FOOD WITH OR WITHOUT DRIVE THRU
FINANCIAL SERVICES
FURNITURE AND APPLIANCE STORES
HEALTHY EXERCISE CLUBS
KIDNERS
MEDICAL OFFICE/CLINIC
OFFICES
PERSONAL SERVICES
RETAIL HOME BUILDING MATERIALS
RETAIL SALES AND SERVICES
SHOPPING CENTER
VETERINARY CLINIC

ACCESS EASEMENT:
AN ACCESS EASEMENT SHALL BE PROVIDED TO ALLOW ACCESS TO THE ADJACENT PROPERTY FROM THE PROPERTY TO THE EAST AT THIS POINT



0' 80' 160'
SCALE: 1" = 80'

SITE PLAN

DRAWN:	JD8
CHECKED:	JD8
DATE:	7/16/20
SCALE:	1" = 80'
JOB NO.:	000
SHEET:	SP-4

**Fruitland Park Commons
Highway 466A**

The Benchmark Group
4053 Maple Road
Amherst, New York 14226

JAMES D. BROWN, R.U.A.
FLORIDA REGISTRATION NO. 123456

WARNING

IF THIS BAR DOES NOT MEASURE THIS COPY OF THIS DOCUMENT IS NOT TO SCALE

KPMFranklin
ENGINEERS • PLANNERS • SURVEYORS
6300 HAZELTINE NATIONAL DRIVE, STE. 118
ORLANDO, FL 32822 | PHONE (407) 410-8624
CERTIFICATE OF AUTHORIZATION: 32058

REVISIONS	BY

NOTICE OF PUBLIC HEARINGS

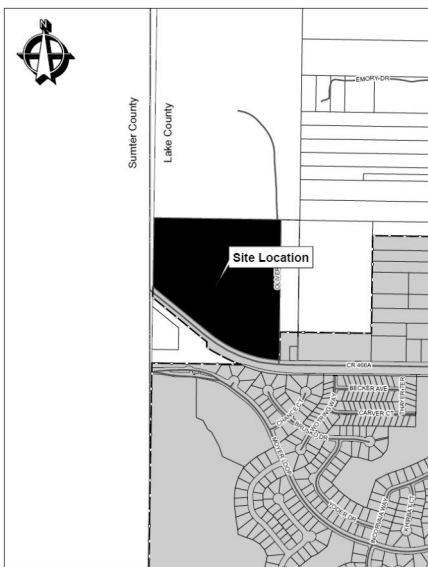
ORDINANCE 2020-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 27.74 ± ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO CITY OF FRUITLAND PARK COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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

- Fruitland Park Planning & Zoning Board Meeting
on October 15, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on October 22, 2020 at 6:00 p.m.
- Fruitland Park City Commission Meeting
on November 12, 2020 at 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park FL 34731. The meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time certain. The proposed ordinance and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed ordinance.



A person who decides to appeal any decision made by any board, agency or council 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 upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Esther Coulson, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.

CITY OF FRUITLAND PARK
NOTICE TO SURROUNDING PROPERTY OWNERS

The City of Fruitland Park has received an application for: Annexation, Rezoning and Large Scale Comprehensive Plan Amendment (LSCPA).

Name of Applicant: Benchmark Development I, LLC

Address or general location of property: Alternate Key 1288088; generally located north of County Road 466A and west of Oliver Lane, as shown on location map.

Type of Zoning requested: CPUD (Commercial Planned Unit Development)

Reason for action: Applicant proposes Annexation to transfer property from Lake County jurisdiction to City of Fruitland Park jurisdiction. Applicant proposes Rezoning/LSCPA to allow for commercial development including restaurant, hotel and retail uses.

Other information attached: Yes X No _____

* * * * *

There will be a Public Hearing:

Planning & Zoning Board	Thursday, October 15, 2020 @ 6:00 p.m.
City Commission 1st Reading	Thursday, October 22, 2020 @ 6:00 p.m.
City Commission Final Reading	Thursday, November 12, 2020 @ 6:00 p.m.
Land Planning Agency	Thursday, November 12, 2020 @ 6:15 p.m.

NOTE: If you are opposed to this Annexation, Rezoning and LSCPA, and wish to state your reasons, please fill out and return the form below to: Fruitland Park City Hall, 506 W Berckman Street, Fruitland Park, FL 34731, or call 352-360-6727 and your name will be listed for you to speak at the scheduled P&Z Board Meeting and/or City Commission Meeting.

* * * * *

SURROUNDING PROPERTY OWNER

Name: _____
(Please Print)

Address: _____

I/We the undersigned have examined the above information for the proposed _____ and understand the nature of this request.

I/We are opposed ____/not opposed ____ to this action. (check one)

I/We request to speak at P&Z Meeting ____ and/or City Commission Meeting ____.
(check one or both)

Addressee Signature

Addressee Signature

In the event this form is not mailed back to the City or you have not called the City to schedule you as a speaker, this will be considered as an approval.

**CITY OF FRUITLAND PARK
STAFF REPORT BY LPG URBAN & REGIONAL PLANNERS, INC.**

Annexation, LSCPA And Rezoning

Owner: School Board of Lake County

Applicant: Benchmark Development I, LLC

Project Name: Fruitland Park Commons

General Location: North of CR 466A and East of Oliver Lane

Number of Acres: 27.74 ± acres

Existing Zoning: Agriculture (Lake County)

Proposed Zoning: Commercial PUD

Existing Land Use: Rural (Lake County)

Proposed Land Use: Commercial High Intensity

Date: July 24, 2020

Description of Project

The applicant is seeking annexation, large scale comp plan amendment and rezoning to Commercial PUD. The proposed development plan consists of commercial retail, high turnover sit down restaurant, and hotel with commercial out-parcels.

	Surrounding Zoning	Surrounding Land Use
North	County Agriculture	Rural
South	County Agriculture and PUD	County Rural and City Villages of Fruitland Park DRI
East	County Agriculture and City C-2	Rural and Commercial
West	PUD (The Villages – Sumter County)	Villages DRI

Assessment

Annexation

The subject property is adjacent to the City limits along the eastern and southern boundaries and is eligible for voluntary annexation. The subject site is also within the City's Utility Service Area. The applicant states that the annexation is consistent with the City's Intergovernmental Coordination Policy 1.1.3 Resolution of Transcending Growth Management Issues, subsection 1, annexation of adjacent lands, and FLU Policy 1-4.1 Variety of Commercial Lands. Planning staff concurs with the analysis.

Large Scale Comp Plan Amendment

The applicant is seeking a large scale comp plan amendment from Lake County Rural to City of Fruitland Park Commercial – High Intensity. The applicant submitted justification and analysis of consistency with the adopted comprehensive plan and an urban sprawl analysis. Planning staff concurs with the analysis.

The traffic impact analysis based on the maximum square footages of 135,500 SF of commercial, 4,000 SF of high quality sit down restaurant, and a 120 room hotel indicates that the project does not create a significant and adverse impact on the surrounding transportation network and will operate within the adopted LOS standards. The PUD square footages requested exceed these amounts; however, prior to development an updated traffic analysis will be required. In addition, the LDRs, Chapter 153 ensure that public facilities and services necessary to support development are available concurrent with the impacts.

The environmental assessment indicated the entire site is uplands based on soils and vegetation. The site is not located within a 100 year flood plain. The environmental assessment indicated the presence of gopher tortoise burrows. Prior to development, a relocation permit will need to be secured. The assessment also indicated a portion of the site is within the sand skink consultation area. Prior to development a sand skink survey or exemption will need to be secured. Should sand skinks occupy the site and habitat set aside is not an option, mitigation will be required.

It is highly recommended that a policy specific amendment be processed such as follows:

Policy 1-10.1: Fruitland Park Commons. The City of Fruitland Park will enforce development standards on the Fruitland Park Commons property in order to ensure coordination of public facilities, including transportation demand. Development shall meet the applicable goals, objectives and policies of the Comprehensive Plan; however, the land use and development potential made available by the FLUM Amendment is hereby limited as follows:

- The Amendment parcel shall be developed under the zoning classification of Commercial Planned Unit Development (CPUD) to address maximum intensity standards, site design, setbacks, buffering and access issues.

- Commercial development shall be limited to a maximum of 140,000 square feet
- The maximum number of hotel rooms shall be limited to 130
- Development is required to be served by central potable water and central sanitary sewer facilities.
- The commercial square footage and number of hotel rooms may deviate up to 20% based on a traffic conversion matrix approved by the City of Fruitland Park City Commission.

Rezoning

The applicant has revised the concept plan and it meets the minimum requirements of Chapter 154, Section 154.030.

The applicant is seeking a Commercial PUD for a maximum commercial square footage of 120,000 SF for the in line retail, 20,000 SF for the proposed outparcels (The total commercial square footage requested is 140,000 SF), and a hotel with a maximum of 130 rooms. The types of commercial uses requested are a selected list of C-2 uses. The maximum square footage of a proposed single use anchor building is 50,000 SF. The maximum building height for commercial structures is 35’ except for architectural features. The maximum building height for the hotel is 45’ subject to meeting fire codes.

Please be advised that proposed buffer plantings do not meet minimum code requirements. Are you requesting a waiver from the typical landscape plantings?

Proposed per 100’	Required per 100’
2 canopy trees	4 canopy trees
6 understory trees	2 understory trees
33 Shrubs	15 Shrubs

The plans indicate that the building setbacks are the same as the landscape buffer as follows:

- Front – 25’
- Rear – 25’
- Western Side – 30’ with decorative screen wall
- Eastern Side – 15’

The front setback from CR 466A is 50’. The plans indicate 25’. Are you requesting a waiver?

The rezoning is consistent with FLU Policy 1-3.1: Planned Unit Development, Policy 1-1.2 Density and Intensity Standards, FLU Policy 1-1.12: Commercial – High Intensity, FLU Policy 1-2.3: Coordination with Lake County Future Land Use, Policy 1-3.1: Planned Unit Development

Recommendation

Annexation

The subject site is contiguous to the city boundaries. Staff recommends approval of the annexation.

LSCPA

The subject site is located within a transitioning area within the City's Utility Service Area and should be considered infill development. The requested land use of Commercial-High Intensity is compatible with the adjacent land uses and is a logical extension of those uses. The applicant provided data that the proposed amendment meets the GOPS of the adopted comprehensive plan as follows:

- FLU Policy 1-1.2 Density and Intensity Standards, Table 1.1
- FLU Policy 1-1.12 Commercial High Intensity
- FLU Policy 1-2.1 Promote Orderly, Compact Growth
- FLU Policy 1-2.3 Coordination with Lake County Future Land Use
- FLU Policy 1-4.1 Variety of Commercial Lands
- FLU Policy 1-4.2 Access to Commercial Lands

In addition, the applicant submitted data indicating that the amendment is not considered urban sprawl pursuant to Section 163.3177, F.S. Staff concurs with the analysis and recommends approval of the LSCPA.

Rezoning

The requested zoning to Commercial Planned Unit Development (CPUD) is consistent with the comprehensive plan. Please clarify if a waiver is requested for the front setback and landscape plantings.



**REVISED DEVELOPMENT APPLICATION REVIEW
FRUITLAND PARK COMMONS
June 18, 2020**

Property Owner: School Board of Lake County, C/o Mr. Kelly Randall
Phone: 352-253-6698
Email: randallk@lake.k12.fl.us
Address: 201 W Burleigh Blvd
Tavares, FL 32778

Appointed Agent: Benchmark Development I, LLC, C/o Mr. John Rehak
Phone: 716-833-4986
Email: jrehak@benchmarkgrp.com
Address: 4053 Maple Rd
Amherst, NY 14226

Project Name: Fruitland Park Commons
Parcel ID: 06-19-24-0003-000-01900
Alt Key: 1288088
Project Address: County Road 466A
Lady Lake, FL 32159

Mr. Rehak,

Herein are the final comments preceding the informal TRC review, as your revised application was emailed to TRC members on June 11, 2020. Application is tentatively scheduled for formal TRC meeting on July 7, 2020.

Development Review:

The *initial ANNEXATION/REZONING/LSCPA application fees* are as follows:

Development Application Fees (City)	\$615.00 PAID
LPG (Land Planner)	\$2,145.00 PAID
BESH (Engineer)	\$700.00 PAID
Lake County Recording Fee	*Actual Cost
Advertisement	*Actual Cost
Certified Mailings	* Actual Cost

Per City Ordinance 2008-023 these are the applicable fees as of date; however, there may be additional fees associated with the application(s) that will be passed to the applicant(s), including addressing through Lake County Public Safety Support and Contractual Services.

City Attorney:

No comments received at time of revised development application review.

City Engineer (BESH):

Preliminary comments regarding traffic forwarded to Lake County Public Works Department.

1. The EA notes that several listed species that may be affected. Species specific survey(s) and wildlife permitting will be required at time of development.
2. Defer to Lake County as to driveway locations, allowable access and required roadway improvements (i.e. turn lanes, etc.) as all access is off CR 466A.

City Land Planner:

See attached DRAFT Staff Report.

City Building Review:

No comments.

City Code Enforcement:

No comments.

City Fire Review:

1. No comments at this time.
2. FPI reserved the right to review preliminary and engineering plans as they related to fire flows; hydrant placement, fire lines and general life safety to our residents and guest.

City Police Review:

No comments.

City Public Works Review:

If there is no interest in the neighboring property at this time, mains to be extended from the east side of the property to the west side of the property on the CR 466A right-of-way to service the frontage on CR 466A.

City Staff Review:

City of Fruitland Park awaiting contact from Sumter Electric Cooperative (SECO) for comments.

City of Leesburg Utilities:

Proposed development is located outside of Leesburg Electric's territory and will be supplied by SECO. Natural gas available to site.

Lake County Public Schools:

No comments. The applicant has been good about sharing and coordinating information with the district through the process.

Lake County Public Works:

1. The site must comply with the Lake County Access Management ordinance.
2. A cross access easement and road connection must be made to the neighboring property.

3. The relocation of the full access median will be taken in to consideration and more communication involving the city staff and the applicant will need to take place as the development goes through the stages of design and permitting.
4. Offsite road improvements will be required. These improvements will include turn lanes at driveways based on allowed turning movements for each proposed driveway.
5. Additional right-of-way will be required to accommodate the right turn lane and sidewalk shift.



City of Fruitland Park, Florida
Community Development Department
 506 W. Berckman St., Fruitland Park, Florida 34731
 Tel: (352) 360-6727 Fax: (352) 360-6652
 www.fruitlandpark.org

<i>Staff Use Only</i>	
Case No.:	_____
Fee Paid:	_____
Receipt No.:	_____

Development Application

Contact Information:

Owner Name: School Board of Lake County c/o Kelly Randall
 Address: 201 W Burleigh Blvd., Tavares FL 32778
 Phone: (352) 253-6698 Email: randallk@lake.k12.fl.us

Applicant Name: Benchmark Development I, LLC c/o John Rehak
 Address: 4053 Maple Road, Amherst, NY 14226
 Phone: _____ Email: _____

Engineer Name: Kimley-Horn and Associates, Inc. c/o B. Kelley Klepper, ACIP
 Address: 189 S. Orange Avenue, Suite 1000, Orlando, FL 32801
 Phone: (941) 527-9070 Email: kelley.klepper@kimley-horn.com

Property and Project Information:

PROJECT NAME*: Fruitland Park Commons
 *A project name is required for all submissions. Please choose a name representative of the project for ease of reference.

Property Address: County Road 466A, Lake County Florida
 Parcel Number(s): 06-19-24-0003-000-01900 Section: 06 Township: 19 Range 24
 Area of Property: 27.73559913 acres Nearest Intersection: County Road 466A and Micro Racetrack Road
 Existing Zoning: Agriculture (Lake County) Existing Future Land Use Designation: Rural (Lake County)
 Proposed Zoning: Commercial PUD Proposed Future Land Use Designation: Commercial - High Intensity (COMM)
 The property is presently used for: Public School (unfinished structures/agricultural teaching facility)
 The property is proposed to be used for: Commercial development including retail, restaurant and hotel (see attached narrative)
 Do you currently have City Utilities? City of Fruitland Park water/wastewater services are available per the City (see attached letter dated 02/11/2020)

Application Type:

- | | | | |
|--|---|---|---|
| <input checked="" type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Comp Plan Amendment | <input checked="" type="checkbox"/> Rezoning | <input checked="" type="checkbox"/> Planned Development |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Special Exception Use | <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> Minor Lot Split | <input type="checkbox"/> Preliminary Plan | <input type="checkbox"/> Construction Plan | <input type="checkbox"/> ROW/Plat Vacate |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Minor Site Plan | <input type="checkbox"/> Replat of Subdivision | |

Please describe your request in detail: Applicant is requesting annexation into the City, large scale comprehensive plan amendment to designate the property Commercial-High Intensity and rezoning to PUD (Commercial).

Required Data, Documents, Forms & Fees

Attached to this application is a list of **REQUIRED** data, documents and forms for each application type as well as the adopted fee schedule. These items must be included when submitting the application package. Failure to include the supporting data will deem your application package **INCOMPLETE** and will not be processed for review.

Printed Name: John Rehak , VP of Manager

Signature: _____ Date: 6/11/2020

If application is being submitted by any person other than the legal owner(s) of the property, the applicant must have written authorization from the owner to submit application.

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7a**

ITEM TITLE: City Manager's Report
For the Meeting of: October 22, 2020
Submitted by: City Manager
Date Submitted: October 12, 2020
Funds Required: No
Account Number: N/A
Amount Required: N/A
Balance Remaining: N/A
Attachments: No

Item Description: City Manager's Report

- i. Economic Development Status Update
- ii. COVID-19 Status Update

Action to be Taken: None

Staff's Recommendation: None

Additional Comments: N/A

City Manager Review: Yes

Mayor Authorization: Yes

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 7b

ITEM TITLE:	CITY ATTORNEY REPORT
For the Meeting of:	October 22, 2020
Submitted by:	City Attorney
Date Submitted:	October 14, 2020
Funds Required:	None
Attachments:	None
Item Description:	City Attorney Report

City of Fruitland Park v. T.D. Burke, Lake County Case No. 2019-CA-001894 (Judge Baxley): A closed session meeting was held October 8, 2020 to discuss litigation strategy and seek direction regarding the pending litigation and the demand made upon the City in the pending case. Communications were had with opposing counsel following the meeting.

City of Fruitland Park v. State of Florida – Department of Management Services: The State of Florida, Division of Administrative Hearings scheduled the hearing to take place via Zoom videoconference October 26 - 28, 2020. Mr. La Venia is working with Attorney Thomas to respond to interrogatories and request for production of documents issued to the City by the Division of Retirement. Depositions were held recently. No updates since last meeting.

Michael and Laurie Fewless v. City of Fruitland Park, Lake County Case No. 2020-CA-000104 (Judge Welke): Plaintiffs filed a two-count complaint against the City alleging negligence and breach of fiduciary duty. Plaintiffs seek in excess of \$600,000.00. The lawsuit arises from the FRS retirement program. Attorney Thomas on behalf of the City filed a Motion to Dismiss to complaint. On March 12, 2020 Circuit Court Welke entered an Order referring the Motion to Dismiss to the General Magistrate to hold a hearing on the Motion. On March 20, 2020 Plaintiffs' attorney filed an objection to the Order referring to the General Magistrate; therefore, Judge Welke will hold a hearing on the City's Motion to Dismiss. A hearing on the Motion has not yet been scheduled. No updates since the last report. No updates since last meeting.

Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case No. 2020-CA-1026 (Judge Davis): Plaintiff purports to be the mortgage holder on Lake County Parcel Id. 10-19-24-0002-000-07500 for a loan issued to Stephen P. Angelillo. The City is named as a party defendant because the City has an existing code enforcement lien recorded against the same property. The City's lien also encumbers additional parcels. The Plaintiff has filed an action to foreclose the property and seeks to extinguish the City's lien as against the above-described parcel. As of June 29, 2020, the accumulated fines are approximately \$82,000.00. On July 15, 2020 Attorney Andrew Dayes filed an Answer and Affirmative Defenses on behalf of the City. On October 8, 2020 Plaintiff filed a Motion for Clerk's Default. The default was entered the same day.

Action to be Taken:	N/A
Staff's Recommendation:	N/A
Additional Comments:	No
City Manager Review:	Yes
Mayor Authorization:	Yes

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 8**

ITEM TITLE:	Public Comments
For the Meeting of:	October 22, 2020
Submitted by:	City Clerk
Date Submitted:	October 12, 2020
Funds Required:	None
Account Number:	N/A
Amount Required:	N/A
Balance Remaining:	N/A
Attachments:	Yes, Resolution 2013-023, Public Participation Policy and Chapter 286 Florida Statutes

Item Description: 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.

Action to be Taken: **None**

Staff’s Recommendation: N/A

Additional Comments: N/A

City Manager Review: Yes

Mayor Authorization: Yes

RESOLUTION 2013 -023

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

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

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

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

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

Sec. 1. Citizen's Rights

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

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

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

Sec. 2. Suspension and Amendment of these Rules

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

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

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

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

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

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



Christopher J. Bell, Mayor

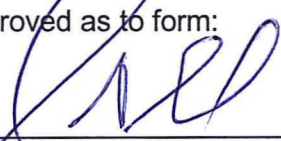
ATTEST:


MARIE AZZOLINO, Acting City Clerk

Passed First Reading 9/26/2013

Passed Second Reading N/A

Approved as to form:


SCOTT A. GERKEN, City Attorney

Select Year:

The 2019 Florida Statutes

[Title XIX](#)[Chapter 286](#)[View Entire Chapter](#)

PUBLIC BUSINESS

PUBLIC BUSINESS: MISCELLANEOUS PROVISIONS

286.0114 Public meetings; reasonable opportunity to be heard; attorney fees.—

(1) For purposes of this section, “board or commission” means a board or commission of any state agency or authority or of any agency or authority of a county, municipal corporation, or political subdivision.

(2) Members of the public shall be given a reasonable opportunity to be heard on a proposition before a board or commission. The opportunity to be heard need not occur at the same meeting at which the board or commission takes official action on the proposition if the opportunity occurs at a meeting that is during the decisionmaking process and is within reasonable proximity in time before the meeting at which the board or commission takes the official action. This section does not prohibit a board or commission from maintaining orderly conduct or proper decorum in a public meeting. The opportunity to be heard is subject to rules or policies adopted by the board or commission, as provided in subsection (4).

(3) The requirements in subsection (2) do not apply to:

(a) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;

(b) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;

(c) A meeting that is exempt from s. [286.011](#); or

(d) A meeting during which the board or commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

(4) Rules or policies of a board or commission which govern the opportunity to be heard are limited to those that:

(a) Provide guidelines regarding the amount of time an individual has to address the board or commission;

(b) Prescribe procedures for allowing representatives of groups or factions on a proposition to address the board or commission, rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard;

(c) Prescribe procedures or forms for an individual to use in order to inform the board or commission of a desire to be heard; to indicate his or her support, opposition, or neutrality on a proposition; and to indicate his or her designation of a representative to speak for him or her or his or her group on a proposition if he or she so chooses; or

(d) Designate a specified period of time for public comment.

(5) If a board or commission adopts rules or policies in compliance with this section and follows such rules or policies when providing an opportunity for members of the public to be heard, the board or commission is deemed to be acting in compliance with this section.

(6) A circuit court has jurisdiction to issue an injunction for the purpose of enforcing this section upon the filing of an application for such injunction by a citizen of this state.

(7)(a) Whenever an action is filed against a board or commission to enforce this section, the court shall assess reasonable attorney fees against such board or commission if the court determines that the defendant to such action acted in violation of this section. The court may assess reasonable attorney fees against the individual filing such an

action if the court finds that the action was filed in bad faith or was frivolous. This paragraph does not apply to a state attorney or his or her duly authorized assistants or an officer charged with enforcing this section.

(b) Whenever a board or commission appeals a court order that has found the board or commission to have violated this section, and such order is affirmed, the court shall assess reasonable attorney fees for the appeal against such board or commission.

(8) An action taken by a board or commission which is found to be in violation of this section is not void as a result of that violation.

History.—s. 1, ch. 2013-227.

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