

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

May 27, 2021

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 – The Reverend Dr. Janice Gordon-Barnes, Assistant Priest,
Holy Trinity Episcopal Church

Pledge of Allegiance – Police Chief Erik Luce
- 2. ROLL CALL**
- 3. CONSENT AGENDA**
Approval of Minutes
- May 13, 2021 regular meeting
- 4. REGULAR AGENDA**
 - (a) Resolution 2021-017 Disaster-Related Fund** (city attorney/city manager/city treasurer)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ESTABLISHING A DISASTER-RELATED FUND WITHIN THE GENERAL FUND; PROVIDING DIRECTIONS; PROVIDING FOR AN EFFECTIVE DATE.
 - (b) Resolution 2021-013 – Interfund Loan Transfer – Utilities** (city attorney/city treasurer/city manager)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING CLARIFICATION AND MEMORIALIZING FUNDS TRANSFERRED FROM THE GENERAL FUND TO THE UTILITY ENTERPRISE FUND TO COVER DEFICITS IN THE UTILITY ENTERPRISE FUND WERE A LOAN FROM THE GENERAL FUND AND ALL FUNDS TRANSFERRED ARE TO BE REPAYED FROM THE UTILITY ENTERPRISE FUND TO THE GENERAL FUND AS DIRECTED BY THE CITY COMMISSION FROM TIME TO TIME; PROVIDING FOR AN EFFECTIVE DATE.

- (c) **NW Lake Community Park - Soccerfield Use - Bologna FC 1909 Soccer Academy Soccer League's Proposal** (city manager/parks and recreation director)
Consider the proposal from Bologna FC 1909 Academy Florida (Club Italia Soccer LLC) to use Northwest Lake Community Park (Cales Memorial Athletic Complex) Multipurpose Soccer Field for a soccer program.
- (d) **Superion (Solutions) LLC - CentralSquare Technologies Discussion** (city attorney/city manager)
Discussion regarding TRAKIT/Superion (Solutions) LLC Citizens' Engagement, CentralSquare Technologies.

PUBLIC HEARING

- (e) **First Reading and Public Hearing - Ordinance 2021-005 Lake County Countywide MSTU for Ambulance and EMS** (city attorney/city manager)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONSENTING TO THE INCLUSION OF THE CITY OF FRUITLAND PARK, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT (MSTU) OF THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID MSTU FOR A SPECIFIED TERM OF THREE (3) YEARS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on June 10, 2021.)

5. OFFICERS' REPORTS

- (a) **City Manager**
 - i. **Economic Development Status Update**
 - ii. **COVID-19 Status Update**
- (b) **City Attorney**
 - i. **City of Fruitland Park v. State of Florida Department of Management Services**
 - ii. **Michael and Laurie Fewless v. City of Fruitland Park**

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

6. UNFINISHED BUSINESS

7. PUBLIC COMMENTS

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

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the City Commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

(b) Commissioner DeGrave

(c) Commissioner Bell

(d) Vice Mayor Gunter, Jr.

9. MAYOR'S COMMENTS

10. ADJOURNMENT

DATES TO REMEMBER

- May 31, 2021, City Hall Closed Memorial Day
- June 9, 2021 City Commission Regular at 6:00 p.m.;
- June 11, 2021, LCLC, *Lake County Preliminary Tax Roll*; Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- June 11, 2021, *Jaws*, Gardenia Swimming Pool, Beckman Street, Fruitland Park, Florida 34731 at 6:30 p.m.;
- June 16, 2021 City Commission Regular at 6:00 p.m., and
- June 23, 2021 LSMPO Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida 34748 at 2:00 p.m.;

- July 8, 2021 City Commission Regular at 6:00 p.m., and
- July 22, 2021 City Commission Regular at 6:00 p.m.

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

Any person requiring 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
CONSENT AGENDA ITEM SUMMARY SHEET
Item Number: 3**

ITEM TITLE:	Draft Regular Meeting Minutes
For the Meeting of:	May 27, 2021
Submitted by:	City Clerk
Date Submitted:	May 21, 2021
Funds Required:	No
Account Number:	N/A
Amount Required:	N/A
Balance Remaining:	N/A
Attachments:	Draft minutes

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.

- May 13, 2021 regular meeting

Action to be Taken: Approve the consent agenda.

Staff's Recommendation: Approve the meeting minutes as submitted if there are no corrections.

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

**FRUITLAND PARK CITY COMMISSION REGULAR
DRAFT MEETING MINUTES
May 13, 2021**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, May 13, 2021 at 6:00 p.m.

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

Members Absent: Commissioner John Mobilian.

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver, City Treasurer Jeannine Racine; Police Chief Erik Luce, Lieutenant Timothy “Tim” Ross, Sergeant David Cox, and Officer Anthony Buehler, Police Department; Public Works Director Robb Dicus; Lake County Firefighter Seth Torres, Firefighter Paramedic Rachel Kieisler and Lieutenant Fire Rescue/Emergency Medical Services Mark Ricci, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, Lieutenant Ross led in the Pledge of Allegiance to the flag. (Chaplain Larry Miller, American Legion, was not present to give the invocation.)

ACTION: 6:04:17 p.m. No action was taken.

2. ROLL CALL

Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was declared present,

ACTION: 6:04:53 p.m. Upon Mayor Cheshire’s request, and **by unanimous consent, the city commission excused the absence of Commissioner John Mobilian at this evening’s meeting.**

Upon Mayor Cheshire’s suggestion and **by unanimous consent, the city commission considered the following items out of order on this evening’s agenda.**

3. SPECIAL PRESENTATIONS

(c) Comprehensive Annual Financial Report September 30, 2020

Ms. Tamara “Tammy” Campbell, McDirmit Davis, Certified Public Accountants and Advisors, gave a power-point presentation on the Comprehensive Annual Financial Report (CAFR), September 30, 2020 annual audit results.

ACTION: 6:05:12 p.m. and 8:31:22 p.m. After much discussion and **upon Commissioner DeGrave’s recommendation, the city commission, by unanimous consent, directed staff to work with the city attorney -- acceptable by the auditor -- to draft a resolution authorizing the establishment of monthly**

utility debt (interfund) payment transfer from the general fund to the utility account retroactive October 23, 2016 until rescinded. (The city commission accepted that some of the excess undesignated or unrestricted fund balance is to be assigned towards disaster-related line items and that roads, reduced as an expense shown in the budget government-wide statement, be reflected as an asset appreciated 20-30 years.)

(a) Consumptive Use Permit Presentation

Ms. Jennifer C. Bolling, Boiling Engineering LLC., gave a power-point presentation on the consumptive use permit (CUP); reported on the submittal of a previous application showing the demand projections, and described the St. Johns River Water Management District with Central Springs/East Coast Regional Water Supply Planning (CSEC RWSP) regional area; the implementation of “residential per capita (water) use”, and the 10-year permit processes currently underway. A copy of the presentation is filed with the supplemental papers to the minutes of this meeting.

Ms. Bolling encouraged the city commission to:

- review the expansion and promotion of the water conservation plan;
- continue public outreach efforts with CSEC;
- implement inspections for new residential construction projects,
- retain a dedicated water conservation coordinator;
- manage the (water loss control) program as a requirement;
- annually review future developments as it pertains CUP management, and
- seek the opportunity to consider planned reviews for common areas for future growth and development.

ACTION: 6:25:02 p.m. After further discussion and **by unanimous consent, the city commission authorized staff to work with Boiling Engineering LLC. to proceed with negotiations on the consumptive use permit process.**

(b) Professional Architectural Services Design - Public Works and Public Safety Buildings - GatorSkitch Corporation

Mr. Michael “Mike” B. Latham, GatorSkitch Architects and Planners, gave a power-point presentation on the public works and public safety buildings; a copy of which is filed with the supplemental papers to the minutes of this meeting.

ACTION: 6:53:38 p.m., 8:15:10 p.m., and 8:35:59 p.m. After considerable discussion and **by unanimous consent, the city commission accepted the city manager’s recommendation authorizing him to proceed with the development of the public works building and accepted the request to consider at a future meeting, the proposed public safety building -- with additional information forthcoming on GatorSkitch Corporation’s study results, the subject building’s blueprint (size and dimensions), and the cost-effective options prior to making a determination to proceed.** (The city manager concurred in the affirmative to

provide a report back to the city commission with the construction costs of The Villages Public Safety Department's Fire Station #47 at 4856 South Morse Boulevard.)

4. CONSENT AGENDA - Approval of Minutes

April 22, 2021 regular meeting minutes.

ACTION: 7:54:16 p.m. **On motion of Commissioner DeGrave, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the consent agenda as previously cited.**

5. REGULAR AGENDA

(a) Resolution 2021-017 – One Nutrient Separating Baffle Box - Mirror Lake NSBB™ Project – BESH Halff Proposal

Ms. Geraci-Carver read into the record proposed Resolution 2021-017, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE CIVIL ENGINEERING AND SURVEYING SERVICES PROPOSAL/AGREEMENT FOR MIRROR LAKE BAFFLE BOX PROJECT BETWEEN HALFF ASSOCIATES INC. AND THE CITY OF FRUITLAND PARK; REPEALING RESOLUTION 2021-007; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 7:54:30 p.m. and 7:56:02 p.m. After Mr. La Venia identified the most needed project to be at the end of Olive Avenue, **a motion was made by Vice Mayor Gunter and seconded by Commissioner Bell that the city commission adopt Resolution 2021-017 as previously cited.**

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

(Commissioner Bell left the meeting room at this time.)

Upon the recommendations of the city manager and the city attorney, **the city commission, by unanimous consent, accepted the preparation record survey for the Mirror Lake Baffle Box project to be conducted at the intersection of east Mirror Lake Drive and Olive Avenue location.**

(b) Gator Utility Vehicles Equipment Proposals

The city commission considered its action to select and award the following quotes:

(Commissioner Bell returned to the meeting room at this time.)

- Kubota Crystal Tractor & Equipment (recommended), \$31,109, and

- Everglades Equipment Group, \$28,690

Mr. La Venia outlined reasons why staff is recommending the selection of Kabota Crystal Tractor & Equipment and requested that an edger and sweeper be utilized with the equipment.

ACTION: 7:57:00 p.m. After discussion, **and on motion of Commissioner DeGrave, seconded by Vice Mayor Gunter and unanimously carried, the city commission accepted the city manager's recommendation and awarded the proposal for \$31,109 to Kabota Crystal Tractor & Equipment as the most responsive and responsible bidder.**

(c) April 2021 Financial Report

The city commission considered its actions on the April 2021 financial report.

ACTION: 7:54:41 p.m. **On motion of Commissioner Bell, seconded by Commissioner DeGrave and unanimously carried, the city commission accepted the April 2021 financial report as submitted.**

6. (a) City Manager

i. Economic Development Status Update

Mr. La Venia stated that he has nothing to report on economic development at this time.

ACTION: 8:01:40 p.m. No action was taken.

ii. COVID-19 Status Update

Mr. La Venia announced that Florida Governor Ron DeSantis issued May 3, 2021 Executive Order 21-101 invalidating all remaining local emergency orders based on COVID-19 Emergency (effective immediately) and Executive Order 21-102 suspending all remaining local government mandates and restrictions based on COVID-19 state of emergency declarations to which Ms. Geraci-Carver recognized the extension to be the end of June 2021 (effective date beginning on July 1, 2021).

ACTION: 8:01:51 p.m. No action was taken.

iii. Portable Recording Equipment Status Update

Mr. La Venia recalled previous city commission discussions on the ability to record official meetings at the community center and referred to the June 8, 2020 BIS Digital Inc.'s quote for a portable recording equipment for \$9,812 in case a larger venue to hold such meetings is required. (A copy of the quote is filed with the supplemental papers to the minutes of this meeting.)

ACTION: 8:02:45 p.m. After discussion and **by unanimous consent, the city commission agreed with staff's recommendation to obtain the costs of the previously cited portable recording equipment** (with the ability to connect with the existing amplifier system at the community center) **to be detailed in the forthcoming FY 2021-22 proposed budget.**

(b) City Attorney

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

Ms. Geraci-Carver announced that she has no additional updates on the State of Florida Department of Management Services at this time.

ACTION: 8:08:17 p.m. No action was taken.

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

Ms. Geraci-Carver announced that she has no additional updates on the Michael and Laurie Fewless case at this time.

ACTION: 8:08:17 p.m. No action was taken.

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

Ms. Geraci-Carver announced that she has no additional updates on the Norman C. Cummins v. Stephen P. Angelillo, Lake County Case at this time.

ACTION: 8:08:17 p.m. No action was taken.

7. UNFINISHED BUSINESS

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

ACTION: 8:08:28 p.m. No action was taken.

8. PUBLIC COMMENTS

Mr. Carl Yauk, Villages of Fruitland Park (Pine Hills) resident, referred to the following:

- CAFR Report, pages 77 and 78 respectively showing the police department for the year 2020 in comparison to the sworn police officers and reserves totalling 21 and the police department at 29;
- the public works and public safety buildings, where he concurred with previous statements giving reasons why the design of same ought to be concrete;
- water usage and the notable increased number of residential swimming pool installations at The Villages since COVID-19;

- the use of a permit and the expanding population where he forecasted a foreseeable problem on how the state has allowed bottling companies to extract large amounts of water from the groundwater with less water travelling downstream, and
- the public works building, unisex bathrooms that a wall be erected for future potential use and suggested that the city commission consider the use of solar panels on the roof which generates electricity.

Mr. David Serder, Fruitland Park Unincorporated Area resident, addressed the plans for future residents coming into the area.

ACTION: 8:08:30 p.m. No action was taken.

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian was absent from this evening's meeting.

ACTION: 6:04:53 p.m. No action was taken.

(b) Commissioner DeGrave

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

ACTION: 8:14.59 p.m. No action was taken.

(c) Commissioner Bell

i. Professional Architectural Services Design - Public Works and Public Safety Buildings - GatorSketch Corporation

Commissioner Bell, in reviewing the public safety power-point slide presentation earlier at this evening's meeting, suggested implementing -- similarly to Lake County Board of County Commission chambers -- the installation of multiple display monitors on the dais for each commissioner.

In concurring with Mayor Cheshire's response, Commissioner DeGrave suggested that future presentations be provided in advance for city commission review.

ACTION: 8:15:10 p.m. Upon Mayor Cheshire's suggestion, **the city commission, by unanimous consent, concurred with the city manager's request to conduct a city commission workshop on the public safety building.**

ii. Lake County Parks, Recreation and Trails Advisory Board

Commissioner Bell referred to his attendance at and the presentation given by Mr. La Venia at the May 10, 2021 Lake County Parks, Recreation and Trails Advisory Board meeting regarding the Northwest Lake Community Park.

Commissioner Bell announced that the presentation will be made before the county commission on August 10, 2021 and invited the city commission to attend.

ACTION: 8:17:16 p.m. No action was taken; however more information on the county commission meeting will be provided prior to the date.

(d) Vice Mayor Gunter, Jr.

i. Mirror Lake Drive - Traffic and Sidewalks

Vice Mayor Gunter reported on the potential replacement of the Fruitland Park Elementary School on the Urick Street property at the end of Olive Avenue; relayed the area residents' previous concerns regarding the speed of traffic within said location, and believed that the city commission ought to review traffic-controlled measures before the construction of the school is complete.

Vice Mayor Gunter requested conducting a traffic study on the subject area's needs and suggested that the police department erect electronic traffic signs in the area alerting drivers' of their respective posted speeds.

Vice Mayor Gunter recalled his opposition to the city commission's previous position on the concept to install sidewalks in the Mirror Lake Drive area and identified the surrounding neighborhoods where newly developed homes are without sidewalks. He referred to the owner/developer's requirements for sidewalks or pedestrian walkways under the August 29, 1999 The Glen Planned Unit Development Master Development Agreement recognizing that they have still not been installed to which Mr. La Venia interjected is currently the subject of ongoing discussions.

In response to Mayor Cheshire's concerns on the inappropriate planning and placement of sidewalks in the Mirror Lake neighborhood and the need for the proper analysis of same, Vice Mayor Gutner suggested that the city commission review the previously cited concerns.

ACTION: 8:17:58 p.m. No action was taken; however, the city commission had no objections to the aforementioned requests.

ii. Fire Rescue

In recognizing the city's current fire rescue services, Vice Mayor Gunter pointed out the city's fire hydrants and their current conditions. He suggested that staff communicate with the county to identify the location of the fire hydrants in the city; make arrangements for the periodical maintenance of same (namely, painting them in consistent colors, cleaning

(sandblasting or pressure wash), implanting blue reflectors on the surface of the roadways, and determine whether a company would be retained or staff to conduct same where they would require new equipment.

ACTION: 8:18:56 p.m. No action was taken; however, the city commission had no objections to the aforementioned requests.

iii. FY 2021-20 - Salaries

After Vice Mayor Gunter addressed the need to review and adjust the city staff's salaries, Mr. Dicus responded on his intent to increase the public works employees to \$15.00 per hour.

Following the city commission's concurrence with Mayor Cheshire's reference to the FY 2020-21 approved budget showing *all fulltime personnel making less than \$15.00 per hour were raised to \$15.00*, Mr. La Venia recognized that the respective salaries were increased after the probationary period and addressed the need for the city commission to review the existing longtime employees who are currently at that rate.

ACTION: 8:27:19 p.m. No action was taken.

10. MAYOR'S COMMENTS

(a) Comprehensive Annual Financial Report September 30, 2020

Mayor Cheshire voiced his agreement with Commissioner DeGrave's recommendation on the assignment of excess undesignated or unrestricted fund balance to towards disaster-related line items as well as supplanting monies in the sinking funds for roads and streets with the remaining funds identified as capital.

After much discussion, Commissioner DeGrave referred to the April 8, 2021 CAFR letter submitted by Mr. La Venia and Ms. Racine which referenced the land area of 73.73 miles of streets in Fruitland Park and an additional 17.008 miles of streets in The Villages

ACTION: 8:31:22 p.m. **By unanimous consent, the city commission agreed with Commissioner DeGrave's suggestion, agreeable by the city manager, for staff to provide allocated funds for the FY 2021-22 proposed budget and for future years, a sinking fund earmarked towards the following roadway paving projects and identify a schedule of an undesignated amount at four miles per annum towards a rudimentary totality of miles of asphalt roadway conditions extending out of a 20-year rolling average:**

- **outside the community redevelopment agency (CRA) district;**
 - o **Moyer Loop, The Villages**
 - o **Drake Drive, The Villages**
 - o **Wingspread Property, Myrtle Lake Road (which has not been paved since it has been developed.in 1995)**

- **Chelsea's Run Subdivision, and**
- **Within the CRA**
 - **Mirror Lake Estates**

(The city manager confirmed, in response to Mayor Cheshire's reference that the county's FY 2029-20 Four and Five-Rated Priority Projects listings based on road ratings roadway paving program is scheduled to be complete.)

(b) Professional Architectural Services Design - Public Works and Public Safety Buildings - GatorSkitch Corporation

Mayor Cheshire gave reasons why he could not support the probable design-bid build cost summary of approximately \$9 million to \$11 million for the public safety building.

ACTION: 8:35:59 p.m. Upon Mayor Cheshire's suggestion and by unanimous consent, the city commission authorized the city manager to determine the subject proposed five-year project with reasonable costs to accommodate population growth for consideration at a future workshop.

(c) Dates to Remember

- May 14, 2021, Lake County League of Cities (LCLC), *Legislative Update and P&C Program*, and *Florida League of Cities' Financial Services*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.,
- May 27, 2021 City Commission Regular at 6:00 p.m., and
- May 31, 2021, City Hall Closed Memorial Day

ACTION: 7:39:26 p.m. No action was taken.

11. ADJOURNMENT

There being no further business to come before the city commission at this time, on motion made, second and unanimously carried, the meeting adjourned at 8:40 p.m.

The minutes were approved at the May 27, 2021 regular meeting.

Signed _____
Esther B. Coulson, City Clerk, MMC

Signed _____
Chris Cheshire, Mayor

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

ITEM TITLE: Resolution 2021-017 Disaster-Related Fund
For the Meeting of: May 27, 2021
Submitted by: City Attorney/City Manager/City Treasurer
Date Submitted: May 19, 2021
Funds Required: N/A
Attachments: Proposed resolution

Item Description: Resolution 2021-017 Disaster-Related Fund

Action to be Taken: Adopt Resolution 2021-017

Staff's Recommendation: Approval

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

RESOLUTION 2021-017

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ESTABLISHING A DISASTER-RELATED FUND WITHIN THE GENERAL FUND; PROVIDING DIRECTIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park recognizes the importance of being prepared for disaster-related emergencies within the City including having funds readily available; and

WHEREAS, disaster may include, but is not limited to natural occurring disasters such as hurricanes, tornados, fires, flooding, or man-made disasters, such as explosions, hazardous material spills; and

WHEREAS, the City Commission desires to establish a fund in the General Fund dedicated for disaster-related needs and expenses to ensure funds will be available when and as needed to address any disaster-related emergency; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida finds that is beneficial to the City of Fruitland Park and its residents and businesses to set aside funding specifically for disaster-related expenditures.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. A fund in the General Fund shall be established for the purpose of disaster-related expenditures. The fund shall be known as the *Disaster-Related Fund*.

Section 2. The Commission directs the City Manager or designee to establish such fund within the General Fund.

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

PASSED AND RESOLVED this ____ day of May, 2021, 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

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

ITEM TITLE: Resolution 2021-018 Interfund Transfer
For the Meeting of: May 27, 2021
Submitted by: City Attorney/City Manager/City Treasurer
Date Submitted: May 19, 2021
Funds Required: N/A
Attachments: Proposed resolution

Item Description: Resolution 2021-018 Interfund Transfer

Action to be Taken: Adopt Resolution 2021-018

Staff's Recommendation: Approval

Additional Comments: This addresses the general fund transfers to utility enterprise fund as a loan.

City Manager Review: Yes

Mayor Authorization: Yes

RESOLUTION 2021-018

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING CLARIFICATION AND MEMORIALIZING FUNDS TRANSFERRED FROM THE GENERAL FUND TO THE UTILITY ENTERPRISE FUND TO COVER DEFICITS IN THE UTILITY ENTERPRISE FUND WERE A LOAN FROM THE GENERAL FUND AND ALL FUNDS TRANSFERRED ARE TO BE REPAID FROM THE UTILITY ENTERPRISE FUND TO THE GENERAL FUND AS DIRECTED BY THE CITY COMMISSION FROM TIME TO TIME; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission endorses sound financial policies and practices; and

WHEREAS, Resolution 2019-049 adopted September 19, 2019 established policy that if there is a deficient in the enterprise fund, and general funds are needed to meet a shortfall to cover expenses, City Commission authorization for any such transfer is required; and

WHEREAS, the City Commission has approved and/or ratified transfers retroactive from 2019 to the present from the general fund to the utility enterprise fund to meet a shortfall in the utility enterprise fund; and

WHEREAS, the City Commission approved and/or ratified transfers as follows from the general fund to the utility enterprise fund, FY2019 - \$240,000, FY2020 - \$240,000 and FY 2021- \$240,000 totaling \$720,000; and

WHEREAS, the City Commission desires to provide clarification and memorialize the City's records that funds transferred, since 2019 through the present, and any funds transferred in the future from the general fund to the utility enterprise fund to meet a shortfall in the utility enterprise fund are a loan to the utility enterprise fund and are to be repaid to the general fund.

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

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

Section 2. **Loans from general fund to utility enterprise fund.** The City Commission hereby provides the following:

- (a) funds transferred, since through the present, from the general fund to the utility enterprise fund to meet a shortfall in the utility enterprise fund are a loan to the utility enterprise fund

and shall be repaid from the utility enterprise fund to the general fund as directed by the City Commission from time to time; and

- (b) funds that may be transferred in the future from the general fund to the utility enterprise fund to meet a shortfall in the utility enterprise fund will be transferred with the intent that said transfer is a loan, and shall be considered a loan to the utility enterprise fund, and shall be repaid to the general fund from the utility enterprise fund as directed by the City Commission from time to time.

Section 3. Effective Date. This resolution shall become effective immediately upon its passage.

PASSED AND RESOLVED this _____ day of May, 2021, 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	_____ (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: 4c**

ITEM TITLE: Bologna Soccer League
For the Meeting of: May 27, 2021
Submitted by: City Manager/Parks and Recreation Director
Date Submitted: May 21, 2021
Funds Required: None
Attachments: Proposal
Item Description: Bologna Soccer League field use proposal

Action to be Taken: Approval

Staff's Recommendation: Trade for use of the Northwest Lake Community Park's soccerfield as they will provide all referees needed for the city's recreational soccer league.

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes



PROPOSAL OF COLLABORATION BETWEEN

BOLOGNA FC 1909 SOCCER ACADEMY & THE CITY OF FRUITLAND PARK



BOLOGNA F.C. 1909 SOCCER ACADEMY FLORIDA OVERVIEW

BOLOGNA F.C. 1909 ACADEMY FLORIDA
Powered by **CLUB ITALIA SOCCER LLC**
100 E OAK TERRACE DR - LEESBURG, FL 34748

www.bfcacademyflorida.com
email: info@bfcacademyflorida.com
mob: (484)587-4146



Bologna F.C. 1909 Academy is a professional program for boys and girls that aims to promote soccer in the area of Central Florida, under the umbrella of one of the oldest professional Italian soccer clubs.

The mission of Bologna F.C. 1909 Academy is to help young players take their first steps into the world of soccer.

This is done by educating them through the European methodology of training and soccer philosophy.

Our vision is to promote soccer and give the possibility to all, boys and girls of diverse ages and levels, to be involved in different types of soccer programs, based on their individual goals.

Soccer is an educational instrument and a school of sport that encompasses important positive values including collaboration, hard work, dedication, and respect.

BFC 1909 Academy is controlled by Club Italia Soccer LLC, a new sports management company based in Lake County, Florida.

www.bfcacademyflorida.com



BOLOGNA F.C. 1909 ACADEMY FLORIDA

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BFC 1909 PROGRAMS

Bologna FC Academy offers 3 different types of programs starting from basic to advanced levels of soccer. In addition, we offer camps and clinics during the school break periods, to give intensive training to the children in the community.

RECREATIONAL

Recreational soccer is a program that is primarily devoted to the enjoyment and development of soccer players without the emphasis of travel or high-level competition. The purpose of recreational soccer is to provide an opportunity for the participants to have fun, learn the sport and develop life skills including a lifelong love of the game.

DEVELOPMENTAL ACADEMY

The developmental academy is a pre-competitive program, which is an important step towards building a future soccer player. This program consists of learning correct soccer techniques, positions, and language. We believe that strong knowledge of soccer and good foundational skills improve our players to reach a competitive level.

COMPETITIVE

The competitive program provides outstanding high-level coaching and training. The program is conducted over a full sport season with the participation of tournaments and leagues. Teams are formed through a tryout process that takes place in April/May for each upcoming Fall Season. At this level, we aim to promote the experience of competition in an enjoyable environment for our players and their families while continuing to build strong soccer technical skills and expertise to put into practice.

PROPOSAL OF COLLABORATION

BOLOGNA F.C. 1909 ACADEMY FLORIDA

Powered by **CLUB ITALIA SOCCER LLC**

100 E OAK TERRACE DR - LEESBURG, FL 34748

www.bfcacademyflorida.com

email: info@bfcacademyflorida.com

mob: (484)587-4146



Bologna FC 1909 Academy is operating in the Lake County area. We offer different soccer programs and are interested in a collaboration with the city of Fruitland Park. Our goal is to develop a long-term soccer program for the community at Northwest Lake Park.

For the season 2021-2022 BFC 1909 will provide referees for the recreational program organized by the Recreation Department of the City of Fruitland Park during the fall and spring seasons in exchange for use of the facility. We have listed the fee schedule for rental which equals out to the current amount you currently pay your referees for the year. This would make for an even trade and we would be providing your players the opportunity to excel into our program for more competitive play.

For the Academy program, BFC 1909 will use the soccer complex on Mondays, Wednesdays and Saturdays following the schedule attached below.



AUGUST

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

DAYS: MONDAY – WEDNESDAY 5.45 – 8.15pm

TOTAL HOURS RENTAL: 7,5

TOTAL HOURS WITH LIGHTS: 3

TOTAL PAYMENT \$ 105.00

SEPTEMBER

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6 labor day	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

DAYS: MONDAY – WEDNESDAY 5.45 – 8.15pm
SATURDAY 10.00am – 12.00pm

TOTAL HOURS RENTAL: 28

TOTAL HOURS WITH LIGHTS: 8

TOTAL PAYMENT \$: 360.00



OCTOBER

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

DAYS: **MONDAY – WEDNESDAY 5.45 – 8.15pm**
SATURDAY 10.00am – 12.00pm

TOTAL HOURS RENTAL: 30

TOTAL HOURS WITH LIGHTS: 8

TOTAL PAYMENT \$: 380.00

NOVEMBER

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

DAYS: **MONDAY – WEDNESDAY 5.45 – 8.15pm**
SATURDAY 10.00am – 12.00pm

TOTAL HOURS RENTAL: 30,5

TOTAL HOURS WITH LIGHTS: 18

TOTAL PAYMENT \$: 485.00



DECEMBER

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	3	

DAYS: **MONDAY – WEDNESDAY 5.45 – 8.15pm**
SATURDAY 10.00am – 12.00pm

TOTAL HOURS RENTAL: 18,5

TOTAL HOURS WITH LIGHTS: 15

TOTAL PAYMENT \$: 335.00

JANUARY 22

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17 holiday	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

DAYS: **MONDAY – WEDNESDAY 5.45 – 8.15pm**
SATURDAY 10.00am – 12.00pm

TOTAL HOURS RENTAL: 15

TOTAL HOURS WITH LIGHTS: 12

TOTAL PAYMENT \$: 270.00



FEBRUARY 22

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

DAYS: MONDAY – WEDNESDAY 5.45 – 8.15pm
SATURDAY 10.00am – 12.00pm

TOTAL HOURS RENTAL: 20

TOTAL HOURS WITH LIGHTS: 16

TOTAL PAYMENT \$: 360.00

MARCH 22

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	3		

DAYS: MONDAY – WEDNESDAY 5.45 – 8.15pm
SATURDAY 10.00am – 12.00pm

TOTAL HOURS RENTAL: 30,5

TOTAL HOURS WITH LIGHTS: 9

TOTAL PAYMENT \$: 395.00



APRIL

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

DAYS: **MONDAY – WEDNESDAY 5.45 – 8.15pm**
SATURDAY 10.00am – 12.00pm

TOTAL HOURS RENTAL: 30

TOTAL HOURS WITH LIGHTS: 8

TOTAL PAYMENT \$: 380.00

MAY 22

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30 holiday	31				

DAYS: **MONDAY – WEDNESDAY 5.45 – 8.15pm**
SATURDAY 10.00am – 12.00pm

TOTAL HOURS RENTAL: 28

TOTAL HOURS WITH LIGHTS: 0

TOTAL PAYMENT \$: 280.00

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

ITEM TITLE: Superion (Solutions) LLC – CentralSquare Technologies Discussion
For the Meeting of: May 27, 2021
Submitted by: City Attorney/City Manager
Date Submitted: March 16, 2020
Funds Required: No
Account Number: N/A
Amount Required: N/A
Balance Remaining: N/A
Attachments: None

Item Description: Superion (Solutions) LLC (CentralSquare Technologies) discussion regarding the TRAKiT software platform. (Addressed at the February 25 and April 8, 2021 regular meetings.)

Action to be Taken:

Staff's Recommendation:

Additional Comments: N/A

City Manager Review: Yes

Mayor Authorization: Yes

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

ITEM TITLE: First Reading and Public Hearing – Ordinance
2021-005 Lake County Countywide MSTU –
Ambulance and EMS

For the Meeting of: May 27, 2021

Submitted by: City Attorney/City Manager

Date Submitted: March 16, 2020

Funds Required: No

Account Number: N/A

Amount Required: N/A

Balance Remaining: N/A

Attachments: Draft Ordinance and MSTU Renewal Letter

Item Description: Ordinance 2021-005 Lake County Countywide
MSTU – Ambulance and EMS – three-year term.

Action to be Taken: Approval

Staff's Recommendation: Approval

Additional Comments: N/A

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE 2021-005

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

WHEREAS, Lake County has created a non-profit corporation to provide ambulance services in Lake County; and

WHEREAS, Lake County has determined that the best mechanism to secure the necessary funding to provide said ambulance service is to create a county-wide municipal taxing unit authorizing the County to levy ad valorem taxes therein for the provision of ambulance and emergency medical services, and has enacted an ordinance creating that municipal service taxing unit; and

WHEREAS, Section 125.01(1)(q), Florida Statutes, provides that the boundaries of a municipal service taxing unit may include all or part of the boundaries of a municipality if the affected municipality consents, by ordinance, to be included therein; and

WHEREAS, the City Commission of the City of Fruitland Park previously determined, as set forth in Ordinances 2014-010, 2015-006, and 2018-012 that it is in the best interest of and serves the health, safety and general welfare of the residents of Fruitland Park to include the City of Fruitland Park within the Lake County municipal service taxing unit for ambulance and emergency services; and

WHEREAS, Lake County's ordinance expressed its intent to include the City of Fruitland Park within the boundaries of the "Lake County Municipal Service Taxing Unit for Ambulance and Emergency Medical Services," subject to the adoption of an approving ordinance by the City Commission of the City of Fruitland Park; and

WHEREAS, the consent as set forth in approving Ordinance 2018-012 is due to expire on July 12, 2021; and

WHEREAS, the City Commission of the City of Fruitland Park desires to extend such consent for an additional period of time.

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

Section 1. The City Commission of the City of Fruitland Park hereby consents to the inclusion of the City of Fruitland Park within the boundaries of the “Lake County Municipal Service Taxing Unit for Ambulance and Emergency Medical Services.”

Section 2. This consent shall be effective until July 12, 2024; thereby extending the consent term as previously approved in City Ordinance 2018-012 for an additional three (3) years.

Section 3. 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 Ordinance.

Section 4. This Ordinance shall be codified and included in the Municipal Code by the appropriate party. The section of this ordinance may be renumbered or reentered, and the word “Ordinance” may be changed to “Section”, “Article”, or other appropriate designation.

Section 5. This Ordinance shall take effect immediately upon final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2021.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

Attest:

Approved as to form and legality:

Esther B. Coulson, City Clerk, MMC

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)

First Reading May 27, 2021

Second Reading _____



County Attorney's Office

David Langley
Assistant County Attorney
dlangley@lakecountyfl.gov

Melanie Marsh*
County Attorney
mmarsh@lakecountyfl.gov

Nicole Blumenauer
Assistant County Attorney
nblumenauer@lakecountyfl.gov

*Board Certification in City, County and Local Government Law

April 12, 2021

Anita R. Geraci-Carver, Esquire
1560 Bloxam Avenue
Clermont, FL 34711

RE: Renewal of Countywide Municipal Service Taxing Unit for Ambulance and Emergency Medical Services – for City of Fruitland Park

Dear Anita:

The City adopted Ordinance No. 2018-012, consenting to the inclusion by Fruitland Park within Lake County's Countywide Municipal Service Taxing Unit for Ambulance and Emergency Medical Services. The consent was for a period of three (3) years and will expire July 12, 2021.

Please advise if the City is considering amending its Ordinance to remain a part of the MSTU and provide our office with a copy of the amended/new Ordinance once approved. If not, please advise me of the same.

Also, would the City consider changing the expiration from a three (3) year term to a longer term or even a no expiration date? Currently, we have six cities with no expiration date. Let me know if this is something the City would be interested in.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Melanie Marsh
County Attorney

MM/jc
99-148

cc: Christopher Cheshire, Mayor
Esther B. Coulson, City Clerk

ORDINANCE 2018 -012

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

WHEREAS, Lake County has created a non-profit corporation to provide ambulance services in Lake County; and

WHEREAS, Lake County has determined that the best mechanism to secure the necessary funding to provide said ambulance service is to create a county-wide municipal taxing unit authorizing the County to levy ad valorem taxes therein for the provision of ambulance and emergency medical services, and has enacted an ordinance creating that municipal service taxing unit; and

WHEREAS, Section 125.01(1)(q), Florida Statutes, provides that the boundaries of a municipal service taxing unit may include all or part of the boundaries of a municipality if the affected municipality consents, by ordinance, to be included therein; and

WHEREAS, the City Commission of the City of Fruitland Park previously determined, as set forth in Ordinances 2014-010 and 2015-006, that it is in the best interest of and serves the health, safety and general welfare of the residents of Fruitland Park to include the City of Fruitland Park within the Lake County municipal service taxing unit for ambulance and emergency services; and

WHEREAS, Lake County's ordinance expressed its intent to include the City of Fruitland Park within the boundaries of the "Lake County Municipal Service Taxing Unit for Ambulance and Emergency Medical Services," subject to the adoption of an approving ordinance by the City Commission of the City of Fruitland Park; and

WHEREAS, the consent as set forth in approving Ordinance 2015-006 is due to expire on July 12, 2018; and

WHEREAS, the City Commission of the City of Fruitland Park desires to extend such consent for an indefinite period of time.

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

Section 1. The City Commission of the City of Fruitland Park hereby consents to the inclusion of the City of Fruitland Park within the boundaries of the “Lake County Municipal Service Taxing Unit for Ambulance and Emergency Medical Services.”

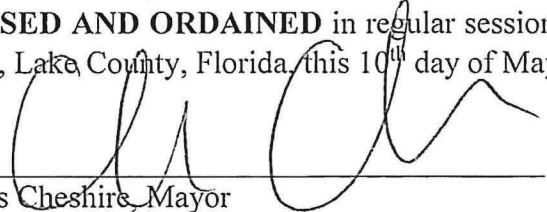
Section 2. This consent shall be effective until July 12, 2021; thereby extending the consent term as previously approved in City Ordinance 2014-010 for an additional three (3) years.

Section 3. 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 Ordinance.

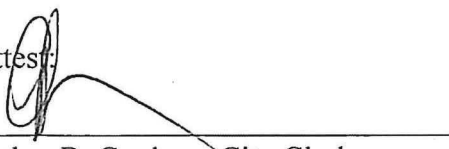
Section 4. This Ordinance shall be codified and included in the Municipal Code by the appropriate party. The section of this ordinance may be renumbered or reentered, and the word “Ordinance” may be changed to “Section”, “Article”, or other appropriate designation.

Section 5. This Ordinance shall take effect immediately upon final adoption by the City Commission of the City of Fruitland Park, Florida.

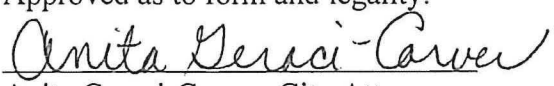
PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this 10th day of May, 2018.



Chris Cheshire, Mayor
City of Fruitland Park, Florida

Attest:


Esther B. Coulson, City Clerk

Approved as to form and legality:


Anita Geraci-Carver, City Attorney

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

First Reading April 26, 2018

Second Reading May 10, 2018

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

ITEM TITLE: CITY MANAGER'S REPORT
For the Meeting of: May 27, 2021
Submitted by: City Manager
Date Submitted: May 17, 2021
Funds Required: None
Attachments: None

Item Description: City Manager's Report

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

Action to be Taken: None

Staff's Recommendation: N/A

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 5b

ITEM TITLE: CITY ATTORNEY REPORT
For the Meeting of: May 27, 2021
Submitted by: Anita Geraci-Carver
Date Submitted: May 19, 2021
Funds Required: None
Attachments: Yes, May 20, 2021 letter
Item Description: City Attorney Report

City of Fruitland Park v. State of Florida – Department of Management Services: The hearing has been rescheduled to take place June 7 -9, 2021 by the State of Florida, Division of Administrative Hearings.

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. On February 24, 2021 Plaintiff sent a discovery request to the City requesting documents. The city manager is working with attorney Thomas to complete all outstanding discovery and then Mr. Thomas will schedule the Motion to Dismiss for hearing. On May 6, 2021, the City filed responses to discovery requests.

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. Litigation counsel for the City again reached out to Plaintiff's counsel to discuss the case. We are waiting a response from Plaintiff's lead attorney. As of the date of this report Plaintiff's counsel has not responded. I will provide an update at the meeting. No update since last meeting. Last record activity was October 8, 2020.

Action to be Taken: N/A
Staff's Recommendation: N/A
Additional Comments:
City Manager Review: Yes
Mayor Authorization: Yes



May 20, 2021

VIA E-MAIL ONLY (KNailos@benlawfirm.com and CGibson@benlawfirm.com)

Kristin C. Nailos, Esquire
Boyette, Cummins & Nailos PLLC
1635 E. Highway 50, Suite 300
Clermont, FL. 34711

Re: **Cummins, N. v. Stephen P. Angelillo and City of Fruitland Park**
Case No.: 35-2020-CA-001026
Claim No.: 1013311
File No.: PRM-1070

Dear Ms. Nailos:

As you are aware, I have the pleasure of representing the City of Fruitland Park with regard to the above-referenced lawsuit filed by your client, Norman C. Cummins. I previously spoke with an attorney at your office regarding this matter and expressed a desire to see the claim resolved; however, I have received no further contact in response to my inquiry. Subsequent inquiries have similarly gone without response.

Review of the docket for this matter reveals that there has been no record activity since your client obtained a Clerk's Default against Defendant, Stephen P. Angelillo on October 8, 2020. Similarly, the City advises me that the subject property remains in state of disrepair and in need of significant attention. Given that both the litigation and subject property are due attention, can you advise as to your client's intentions with respect to same?

I look forward to hearing from you so that I can provide further information to my client. If I can be of any assistance to you with respect to this matter, I would welcome the opportunity to assist.

Kristin C. Nailos, Esquire
Boyette, Cummins & Nailos PLLC
Re: *Cummins v. Angelillo*
May 20, 2020
Page 2

Of course, if there are other matters concerning this litigation that you wish to discuss, do not hesitate to contact me. With my best regards, I remain

Very truly yours,

/s/ Andrew I. Dayes
ANDREW I. DAYES

cc: Clients

DAYES LAW

P: 727.240.1332 | F: 727.440.8188 | AID@DAYESLAW.COM

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

ITEM TITLE:	Public Comments
For the Meeting of:	May 27, 2021
Submitted by:	City Clerk
Date Submitted:	May 23, 2021
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

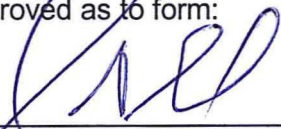
ATTEST:


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 2020 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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