

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

December 9, 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 – Pastor John Stricklen, Countryside Baptist Church

Pledge of Allegiance – Police Chief Erik Luce

2. ROLL CALL

3. SPECIAL PRESENTATIONS

a. Ninth Annual Wreaths Across America Proclamation (city clerk)

b. Board of Trustees Firefighters Pension Trust Fund Members Presentations (city clerk)

4. RECESS TO THE COMMUNITY REDEVELOPMENT AGENCY (city clerk)

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

5. CONSENT AGENDA

(a) Approval of Meeting Minutes (city clerk)

- November 18, 2021 special
- October 28, 2021 regular
- October 14, 2021 regular

(b) Resolution 2021-051 - Election Polling Places - SOE – MOA (city attorney/city clerk/city manager/parks and recreation director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE MEMORANDUM OF AGREEMENT FOR POLLING PLACE – 2022 – PRECINCT #25 BETWEEN LAKE COUNTY SUPERVISOR OF ELECTIONS & CITY OF FRUITLAND PARK FOR USE OF FRUITLAND PARK COMMUNITY CENTER FOR AUGUST 23, 2022 PRIMARY ELECTION AND NOVEMBER 8, 2022 GENERAL ELECTION; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

6. REGULAR AGENDA

- (a) **Resolution 2021-052 Munis Software Am.** (city attorney/city treasurer/city manager/community development director/ human resources director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AMENDMENT BETWEEN TYLER TECHNOLOGIES, INC. AND CITY OF FRUITLAND PARK, FLORIDA IN THE AMOUNT OF \$6,964.00 ANNUALLY AND ONE-TIME FEES IN THE AMOUNT OF \$36,821.00; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; PROVIDING FOR AN EFFECTIVE DATE.

PUBLIC HEARING

- (b) **Second Reading and Public Hearing - Ordinance 2021-017 Municipal Firemen's Pension Trust Fund - Repeal** (city attorney/city treasurer/city manager)

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, REPEALING ORDINANCE 204-1974 WHICH IMPOSED A LEVY AND ADDITIONAL TAX UPON INSURANCE COMPANIES, CORPORATION OR OTHER INSURER ENGAGING IN THE BUSINESS OF PROPERTY INSURANCE THAT FUNDED THE MUNICIPAL FIREMEN'S PENSION TRUST FUND; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on November 18, 2021.)

- (c) **Second Reading and Quasi-Judicial Public Hearing - Rezoning Ordinance 2021-015 - Olive Avenue - R1-PFD - Petitioner: School Board of Lake County** (city attorney/city manager/community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 18.99± ACRES OF PROPERTY LOCATED ON OLIVE AVENUE, FRUITLAND PARK, FLORIDA FROM CITY OF FRUITLAND PARK R-1 ZONING TO THE CITY OF FRUITLAND PARK DESIGNATION OF PUBLIC FACILITIES DISTRICT 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 November 18, 2021.)

END OF QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

- 7. (a) City Manager**
 - i. Economic Development Status Update**
 - ii. CUP – SJRWMD Status Update Report**
 - iii. Lake County CDBG Grant Program Status Update Report**
 - iv. Public Works Building - GatorSkitch Corporation Status Update Report**
- (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**

8. UNFINISHED BUSINESS

9. 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.

10. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

(b) Commissioner DeGrave

(c) Commissioner Bell

(d) Vice Mayor Gunter, Jr.

11. MAYOR'S COMMENTS

12. ADJOURNMENT

DATES TO REMEMBER

- December 10, 2021 – LCLC *Housing and Transportation Presentation and Year-End Wrap-Up*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- December 10, 2021, *Hometown Christmas*, outside City Hall, 506 W Berckman Street, Fruitland Park, Florida 34731 at 5:30 p.m.;
- December 15, 2021, Boy Scouts of America *Central Florida Council Salute to Veterans Breakfast*, Venetian Center, City of Leesburg Recreation Complex, 1851 Griffin Road, Leesburg, Florida 34748 at 8:00 a.m.;
- December 16, 2021 City Employee Appreciation Luncheon, Heritage Community Church, Berckman Street Fruitland Park, Florida 34731 at 11:00 a.m.;
- December 18, 2021, 9th Annual *Wreaths Across America Day* Ceremony, Shiloh Cemetery, Fruitland Park, Florida 34731 at 12:00 p.m.;
- December 23, 2021, City Commission regular at 6:00 p.m. – Cancelled;
- December 24, 2021, Christmas Eve – City Hall Closed
- December 25, 2021, Christmas Day
- December 27, 2021, Public Holiday – City Hall Closed

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
AGENDA ITEM SUMMARY SHEET
Item Number: 3a-b**

ITEM TITLE:	Special Presentations
For the Meeting of:	December 9, 2021
Submitted by:	City Clerk
Date Submitted:	November 23, 2021
Funds Required:	No
Attachments:	Yes, proclamation

Item Description: **Special Presentations**

(a) Ninth Annual *Wreaths Across America* Proclamation

(b) Board of Trustees Firefighters Pension Trust Fund Members Presentations

Action to be Taken: **None**

Staff's Recommendation: N/A

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes



City of Fruitland Park

Proclamation

WHEREAS, in 1992, the first 5,000 wreaths were donated by Morrill Worcester and Worcester Wreath Company; and

WHEREAS, Wreaths Across America™ (WAA) is a national nonprofit organization founded in 2007 to continue and expand the annual wreath-laying ceremony at Arlington National Cemetery; and

WHEREAS, on March 9, 1967, the Town of Fruitland Park Council initially instituted a Memorial Day Program at Shiloh Cemetery honoring veterans and loved ones buried at Shiloh Cemetery; and

WHEREAS, nearly 1.7 million remembrance wreaths were placed in 2020; and

WHEREAS, 2021 marks the 30th year for Wreaths Across America events being held at over 2,500 participating locations across our great country where hundreds of trucking companies and drivers help deliver the wreaths; and

WHEREAS, these events are made possible by the generous commitment in all 50 states of volunteers and those who donate for hundreds of thousands of ceremonial remembrance wreaths to be placed on veterans' graves for this nationwide observance from the Revolutionary War to present day conflicts; and

WHEREAS, John Gella Memorial Unit 219 Inc., of the American Legion Auxiliary, in the State of Florida will be continuing the tradition and recognizing its eighth annual Wreaths Across America Ceremony at Shiloh Cemetery in the City of Fruitland Park at 12 noon on Saturday, December 18, 2021; and

WHEREAS, all veterans' gravesites in Shiloh Cemetery will be adorned with red-bowed remembrance wreaths in a solemn tribute to the courage and sacrifice of those who have guarded and preserved our nation's freedom throughout history.

NOW, THEREFORE BE IT RESOLVED THAT I, Chris Cheshire, Mayor of the City of Fruitland Park, Florida, on behalf of the City of Fruitland Park Commission and citizens, do hereby declare Saturday, December 18, 2021 as the official **Wreaths Across America Day** in Fruitland Park in memory of our fallen heroes and in honor of our living veterans and commend the American Legion Family of 219 for sharing this patriotic tribute to America's veterans.

Dated this 9th day of December 2021.

Chris Cheshire, Mayor

Attest:

Esther Coulson, City Clerk

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

ITEM TITLE: Community Redevelopment Agency (CRA)
Meeting
For the Meeting of: December 9, 2021
Submitted by: City Clerk
Date Submitted: November 23, 2021
Funds Required: No
Attachments: Yes, CRA Establishment

Item Description: CRA Establishment Ordinance 95-001,
Resolution 2019-050, §163.362, §163.386, §163.387 and Chapter 189,
Florida Statutes

Action to be Taken: As soon as practical, recess to the
Community Redevelopment Agency special
meeting.

Staff's Recommendation: N/A

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE NO. 95-001

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, PERTAINING TO THE ESTABLISHMENT OF A COMMUNITY REDEVELOPMENT TRUST FUND; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF A COMMUNITY REDEVELOPMENT TRUST FUND; PROVIDING FOR THE DESIGNATION OF THE COMMUNITY REDEVELOPMENT TRUST FUND AS THE RECIPIENT OF FUNDS PURSUANT TO SECTION 163.387, FLORIDA STATUTES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fruitland Park has, by resolution, established a finding of blight; and,

WHEREAS, the City Commission desires to provide for the removal of such blighted areas and redevelop such areas, pursuant to the Community Redevelopment Act of 1969, hereafter referred to as the "CRA", as contained in Florida Statutes, Chapter 163, Part III; and,

WHEREAS, the City Commission has, by resolution, approved a Community Redevelopment Plan for the City.

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

SECTION 1. There is hereby established and created, in accordance with the provisions of Section 163.387, Florida Statutes, a Community Redevelopment Trust Fund, hereafter referred to as "the Fund".

SECTION 2. The monies allocated to and deposited into the Fund are hereby appropriated to the City of Fruitland Park Community Redevelopment Agency, hereafter referred to as "the Agency", to finance projects within the Community Redevelopment Project Area, hereafter referred to as "the Project". The Agency shall utilize the monies and the revenue paid into and earned by the Fund for all and every community development purpose delegated to it by the established Community Redevelopment Plan, hereafter referred to as "the Plan", and as further provided by law. The Fund is to exist for the duration of the Project programs or until legally terminated by ordinance. The monies shall be held by the City for and on behalf of the Agency and distributed to the Agency in accordance with a subsequent agreement to be established between the City and the Agency.

SECTION 3. There shall be paid into the Fund each year by all taxing authorities within the Project Area, except those authorities excluded by state law, the incremental increase in ad valorem taxes levied each year by the above-referenced taxing authorities over the amount of ad valorem taxes levied each year by the above-referenced taxing authorities over the amount of ad valorem taxes levied by the referenced taxing authorities in the base year, as established in Section 5 below.

SECTION 4. The tax roll used in connection with the taxation of such property for the base year shall be the Tax Roll of 1994 in Lake County. All deposits into the Fund shall begin with the incremental increases in ad valorem tax revenues received subsequent to November 1, 1995.

SECTION 5. The tax increment shall be determined and appropriated annually in an amount equal to the difference between:

a. the amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Community Redevelopment Area; and

b. the amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any amount from any debt service millage, upon the total of the assessed value of the taxable real property in the Community Redevelopment Area, as shown upon the 1994 assessment roll used in connection with the taxation of such property by each taxing authority. If any conflict occurs between the provisions of this Ordinance and the provisions of Chapter 163, Part III, Florida Statutes, concerning tax increment financing, the statutory provisions shall control and apply to this Ordinance.

SECTION 6. Each taxing authority will annually appropriate to the Fund the aforestated sum at the beginning of their fiscal year. Payment of the sum shall be in accordance with state law.

SECTION 7. The Agency, with the approval of the City Commission, is directed to establish the Fund and to develop and promulgate rules, regulations and criteria whereby the Fund may be promptly and effectively administered, including the establishment and the maintenance of books and records and adoption of procedures whereby the Agency may, expeditiously and without undue delay, utilize the monies received for their allocated statutory purpose.

SECTION 8. The Agency shall accept full responsibility for the receipt, custody, disbursement, accountability, management and proper application of all monies paid into the fund subject to the provisions of Section 2 of this Ordinance.

SECTION 9. Any and all ordinances or parts of ordinances that are in conflict herewith are hereby repealed.

SECTION 10. If any part of this Ordinance is held to be invalid or unenforceable for any reason, such holding shall not affect the validity or enforceability of the remainder, which shall remain in full force and effect.

SECTION 11. This ordinance shall take effect immediately upon its final adoption.

PASSED AND ORDAINED this 16th day of March, 1995, by the City Commission of the City of Fruitland Park, Florida.

William R. White
William R. White, Mayor
City of Fruitland Park

Attest:

Linda S. Rodrick
Linda S. Rodrick, City Clerk
City of Fruitland Park

First Reading: March 2, 1995

Second Reading: March 16, 1995

Approved as to form:

Gary J. Cooney
Gary J. Cooney
City Attorney

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Select Year:

The 2020 Florida Statutes

[Title XI](#)

COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS

[Chapter 163](#)

INTERGOVERNMENTAL PROGRAMS

[View Entire Chapter](#)

163.340 **Definitions.**—The following terms, wherever used or referred to in this part, have the following meanings:

- (1) “Agency” or “community redevelopment agency” means a public agency created by, or designated pursuant to, s. [163.356](#) or s. [163.357](#).
- (2) “Public body” means the state or any county, municipality, authority, special district as defined in s. [165.031\(7\)](#), or other public body of the state, except a school district.
- (3) “Governing body” means the council, commission, or other legislative body charged with governing the county or municipality.
- (4) “Mayor” means the mayor of a municipality or, for a county, the chair of the board of county commissioners or such other officer as may be constituted by law to act as the executive head of such municipality or county.
- (5) “Clerk” means the clerk or other official of the county or municipality who is the custodian of the official records of such county or municipality.
- (6) “Federal Government” includes the United States or any agency or instrumentality, corporate or otherwise, of the United States.
- (7) “Slum area” means an area having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements, whether residential or nonresidential, which are impaired by reason of dilapidation, deterioration, age, or obsolescence, and exhibiting one or more of the following factors:
 - (a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;
 - (b) High density of population, compared to the population density of adjacent areas within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code; or
 - (c) The existence of conditions that endanger life or property by fire or other causes.
- (8) “Blighted area” means an area in which there are a substantial number of deteriorated or deteriorating structures; in which conditions, as indicated by government-maintained statistics or other studies, endanger life or property or are leading to economic distress; and in which two or more of the following factors are present:
 - (a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities.
 - (b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions.
 - (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.
 - (d) Unsanitary or unsafe conditions.
 - (e) Deterioration of site or other improvements.
 - (f) Inadequate and outdated building density patterns.
 - (g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality.
 - (h) Tax or special assessment delinquency exceeding the fair value of the land.

- (i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality.
- (j) Incidence of crime in the area higher than in the remainder of the county or municipality.
- (k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality.
- (l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality.
- (m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.
- (n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.
- (o) A substantial number or percentage of properties damaged by sinkhole activity which have not been adequately repaired or stabilized.

However, the term “blighted area” also means any area in which at least one of the factors identified in paragraphs (a) through (o) is present and all taxing authorities subject to s. [163.387\(2\)\(a\)](#) agree, either by interlocal agreement with the agency or by resolution, that the area is blighted. Such agreement or resolution must be limited to a determination that the area is blighted. For purposes of qualifying for the tax credits authorized in chapter 220, “blighted area” means an area as defined in this subsection.

(9) “Community redevelopment” or “redevelopment” means undertakings, activities, or projects of a county, municipality, or community redevelopment agency in a community redevelopment area for the elimination and prevention of the development or spread of slums and blight, or for the reduction or prevention of crime, or for the provision of affordable housing, whether for rent or for sale, to residents of low or moderate income, including the elderly, and may include slum clearance and redevelopment in a community redevelopment area or rehabilitation and revitalization of coastal resort and tourist areas that are deteriorating and economically distressed, or rehabilitation or conservation in a community redevelopment area, or any combination or part thereof, in accordance with a community redevelopment plan and may include the preparation of such a plan.

(10) “Community redevelopment area” means a slum area, a blighted area, or an area in which there is a shortage of housing that is affordable to residents of low or moderate income, including the elderly, or a coastal and tourist area that is deteriorating and economically distressed due to outdated building density patterns, inadequate transportation and parking facilities, faulty lot layout or inadequate street layout, or a combination thereof which the governing body designates as appropriate for community redevelopment. For community redevelopment agencies created after July 1, 2006, a community redevelopment area may not consist of more than 80 percent of a municipality.

(11) “Community redevelopment plan” means a plan, as it exists from time to time, for a community redevelopment area.

(12) “Related activities” means:

- (a) Planning work for the preparation of a general neighborhood redevelopment plan or for the preparation or completion of a communitywide plan or program pursuant to s. [163.365](#).
- (b) The functions related to the acquisition and disposal of real property pursuant to s. [163.370\(4\)](#).
- (c) The development of affordable housing for residents of the area.
- (d) The development of community policing innovations.

(13) “Real property” means all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto or used in connection therewith and every estate, interest, right, and use, legal or equitable, therein, including but not limited to terms for years and liens by way of judgment, mortgage, or otherwise.

(14) “Bonds” means any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures, or other obligations.

(15) “Obligee” means and includes any bondholder, agents or trustees for any bondholders, or lessor demising to the county or municipality property used in connection with community redevelopment, or any assignee or assignees

of such lessor's interest or any part thereof, and the Federal Government when it is a party to any contract with the county or municipality.

(16) "Person" means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic and includes any trustee, receiver, assignee, or other person acting in a similar representative capacity.

(17) "Area of operation" means, for a county, the area within the boundaries of the county, and for a municipality, the area within the corporate limits of the municipality.

(18) "Housing authority" means a housing authority created by and established pursuant to chapter 421.

(19) "Board" or "commission" means a board, commission, department, division, office, body or other unit of the county or municipality.

(20) "Public officer" means any officer who is in charge of any department or branch of the government of the county or municipality relating to health, fire, building regulations, or other activities concerning dwellings in the county or municipality.

(21) "Debt service millage" means any millage levied pursuant to s. 12, Art. VII of the State Constitution.

(22) "Increment revenue" means the amount calculated pursuant to s. ~~163.387~~(1).

(23) "Community policing innovation" means a policing technique or strategy designed to reduce crime by reducing opportunities for, and increasing the perceived risks of engaging in, criminal activity through visible presence of police in the community, including, but not limited to, community mobilization, neighborhood block watch, citizen patrol, citizen contact patrol, foot patrol, neighborhood storefront police stations, field interrogation, or intensified motorized patrol.

(24) "Taxing authority" means a public body that levies or is authorized to levy an ad valorem tax on real property located in a community redevelopment area.

History.—s. 3, ch. 69-305; s. 1, ch. 77-391; s. 1, ch. 81-44; s. 3, ch. 83-231; ss. 2, 22, ch. 84-356; s. 83, ch. 85-180; s. 72, ch. 87-243; s. 33, ch. 91-45; s. 1, ch. 93-286; s. 1, ch. 94-236; s. 1447, ch. 95-147; s. 2, ch. 98-201; s. 1, ch. 98-314; s. 2, ch. 2002-294; s. 7, ch. 2006-11; s. 1, ch. 2006-307; s. 20, ch. 2013-15; s. 7, ch. 2015-30.

Select Year:

The 2017 Florida Statutes

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

[Chapter 163](#)
 INTERGOVERNMENTAL
 PROGRAMS

[View Entire
 Chapter](#)

163.356 **Creation of community redevelopment agency.—**

(1) Upon a finding of necessity as set forth in s. [163.355](#), and upon a further finding that there is a need for a community redevelopment agency to function in the county or municipality to carry out the community redevelopment purposes of this part, any county or municipality may create a public body corporate and politic to be known as a “community redevelopment agency.” A charter county having a population less than or equal to 1.6 million may create, by a vote of at least a majority plus one of the entire governing body of the charter county, more than one community redevelopment agency. Each such agency shall be constituted as a public instrumentality, and the exercise by a community redevelopment agency of the powers conferred by this part shall be deemed and held to be the performance of an essential public function. Community redevelopment agencies of a county have the power to function within the corporate limits of a municipality only as, if, and when the governing body of the municipality has by resolution concurred in the community redevelopment plan or plans proposed by the governing body of the county.

(2) When the governing body adopts a resolution declaring the need for a community redevelopment agency, that body shall, by ordinance, appoint a board of commissioners of the community redevelopment agency, which shall consist of not fewer than five or more than nine commissioners. The terms of office of the commissioners shall be for 4 years, except that three of the members first appointed shall be designated to serve terms of 1, 2, and 3 years, respectively, from the date of their appointments, and all other members shall be designated to serve for terms of 4 years from the date of their appointments. A vacancy occurring during a term shall be filled for the unexpired term. As provided in an interlocal agreement between the governing body that created the agency and one or more taxing authorities, one or more members of the board of commissioners of the agency may be representatives of a taxing authority, including members of that taxing authority’s governing body, whose membership on the board of commissioners of the agency would be considered an additional duty of office as a member of the taxing authority governing body.

(3)(a) A commissioner shall receive no compensation for services, but is entitled to the necessary expenses, including travel expenses, incurred in the discharge of duties. Each commissioner shall hold office until his or her successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk of the county or municipality, and such certificate is conclusive evidence of the due and proper appointment of such commissioner.

(b) The powers of a community redevelopment agency shall be exercised by the commissioners thereof. A majority of the commissioners constitutes a quorum for the purpose of conducting business and exercising the powers of the agency and for all other purposes. Action may be taken by the agency upon a vote of a majority of the commissioners present, unless in any case the bylaws require a larger number. Any person may be appointed as commissioner if he or she resides or is engaged in business, which means owning a business, practicing a profession, or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged, within the area of operation of the agency, which shall be coterminous with the area of operation of the county or municipality, and is otherwise eligible for such appointment under this part.

(c) The governing body of the county or municipality shall designate a chair and vice chair from among the commissioners. An agency may employ an executive director, technical experts, and such other agents and

employees, permanent and temporary, as it requires, and determine their qualifications, duties, and compensation. For such legal service as it requires, an agency may employ or retain its own counsel and legal staff. An agency authorized to transact business and exercise powers under this part shall file with the governing body, on or before March 31 of each year, a report of its activities for the preceding fiscal year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such fiscal year. At the time of filing the report, the agency shall publish in a newspaper of general circulation in the community a notice to the effect that such report has been filed with the county or municipality and that the report is available for inspection during business hours in the office of the clerk of the city or county commission and in the office of the agency.

(d) At any time after the creation of a community redevelopment agency, the governing body of the county or municipality may appropriate to the agency such amounts as the governing body deems necessary for the administrative expenses and overhead of the agency, including the development and implementation of community policing innovations.

(4) The governing body may remove a commissioner for inefficiency, neglect of duty, or misconduct in office only after a hearing and only if he or she has been given a copy of the charges at least 10 days prior to such hearing and has had an opportunity to be heard in person or by counsel.

History.—s. 2, ch. 77-391; s. 1, ch. 83-231; s. 6, ch. 84-356; s. 903, ch. 95-147; s. 4, ch. 98-314; s. 41, ch. 2001-266; s. 4, ch. 2002-294; s. 2, ch. 2006-307.

RESOLUTION 2019-050

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE CONTINUED EXISTENCE OF THE COMMUNITY REDEVELOPMENT AGENCY AND TRUST FUND; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Community Redevelopment Agency was established and the initial CRA plan was adopted by the City Commission of the City of Fruitland Park on March 16, 1995; and

WHEREAS, consistent with s. 163.362, Florida Statutes, the initial CRA plan provides a 30 year term to complete all redevelopment financed by increment revenues; therefore, completion of all redevelopment must occur by the end of the fiscal year 2025, unless the continued existence is approved by a majority vote of the members of the governing body; and

WHEREAS, because the CRA was created before July 1, 2002, the City Commission may extend the CRA for an additional 30 years, for a total of 60 years; and

WHEREAS, the City Commission, at a duly noticed public hearing, in accordance with Sec. 163.361, Florida Statutes, has considered the purpose of the Community Redevelopment Agency, its accomplishments and finds that it is in the best interests of the City of Fruitland Park and its residents and businesses to provide for its continued existence for an additional 30 year period.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Community Redevelopment Agency and Trust Fund established March 16, 1995, shall continue in existence for a total of 60 years, thereby having a termination date of September 30, 2055.

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

PASSED AND RESOLVED this 19th day of September 2019, by the City Commission of the City of Fruitland Park, Florida.

SEAL

**CITY COMMISSION OF THE CITY OF
FRUITLAND PARK, FLORIDA**



CHRIS CHESHIRE, MAYOR

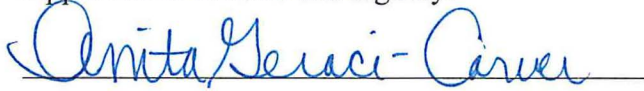
ATTEST:



ESTHER COULSON, CITY CLERK

Mayor Cheshire	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Vice Mayor Gunter	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Commissioner Bell	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Commissioner DeGrave	<input checked="" type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input type="checkbox"/>	(Absent)
Commissioner Mobilian	<input type="checkbox"/>	(Yes),	<input type="checkbox"/>	(No),	<input type="checkbox"/>	(Abstained),	<input checked="" type="checkbox"/>	(Absent)

Approved as to form and legality:



Anita Geraci-Carver, City Attorney

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

ITEM TITLE: Draft Meeting Minutes and Resolution 2021 051
For the Meeting of: December 9, 2021
Submitted by: City Clerk/City Attorney/City Manager/Parks and Recreation Director
Date Submitted: November 23, 2021
Funds Required: No
Amount Required: N/A
Attachments: Draft minutes and MOA

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. **Approval of Meeting Minutes** (city clerk)
- November 18, 2021 special
 - October 28, 2021 regular
 - October 14, 2021 regular
- b. **Resolution 2021-051 - Election Polling Places - SOE – MOA** (city attorney/city manager/parks and recreation director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE MEMORANDUM OF AGREEMENT FOR POLLING PLACE – 2022 – PRECINCT #25 BETWEEN LAKE COUNTY SUPERVISOR OF ELECTIONS & CITY OF FRUITLAND PARK FOR USE OF FRUITLAND PARK COMMUNITY CENTER FOR AUGUST 23, 2022 PRIMARY ELECTION AND NOVEMBER 8, 2022 GENERAL ELECTION; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; 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 SPECIAL
DRAFT MEETING MINUTES
November 18, 2021**

A special meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, November 18, 2021 at 6:00 p.m.

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

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver, City Treasurer Jeannine Racine; Police Chief Erik Luce; Community Development Director Dwyane Williams; Human Resources Director Jabari Hopkins, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, Mr. Hopkins gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:00:19 p.m. No action was taken.

2. ROLL CALL

After Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was declared present, he outlined the decorum for this evening's meeting:

ACTION: 6:01:23: p.m. No action was necessary.

3. ELECTION OF OFFICERS

(a) Mayor

Mayor Cheshire recognized the annual election of the position of mayor to be in order at this time and called for nominations for the mayor.

ACTION: 6:02:07 p.m. **Commissioner Mobilian placed in nomination the name of Chris Cheshire as mayor for 2021-2022. The nomination was seconded by Vice Mayor Gunter.**

There being no further names placed for nomination, by unanimous consent, it was declared closed.

Mayor Cheshire called for a roll call vote to appoint Chris Cheshire as mayor for 2021-22 with the city commission members voting as follows:

Commissioner Mobilian	Yes
Commissioner DeGrave	Yes
Commissioner Bell	No
Vice Mayor Gunter	Yes
Mayor Cheshire	Yes

After Commissioner Bell cited reasons for his “no” vote, **the motion was declared carried with a four to one (4-1) vote.**

(b) Vice Mayor

Mayor Cheshire called for nominations for the vice mayor.

ACTION: 6:03:33 p.m. Commissioner Mobilian placed in nomination the name of John L. Gunter Jr. as vice mayor for 2021-2022. The nomination was seconded by Commissioner DeGrave.

There being no further names placed for nomination, by unanimous consent, it was declared closed.

Mayor Cheshire called for a roll call vote to appoint John L. Gunter Jr. as vice mayor for 2021-22 with the city commission members voting as follows:

Commissioner Bell	No
Commissioner DeGrave	Yes
Commissioner Mobilian	Yes
Vice Mayor Gunter	Yes
Mayor Cheshire	Yes

After Commissioner Bell pointed out his reasons cited under agenda 3.(a) for his “no” vote, **the motion was declared carried with a four to one (4-1) vote.**

4. SPECIAL AGENDA

(a) Resolution 2021-049 – Logo

Ms. Geraci-Carver read into the record proposed Resolution 2021-049, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING A NEW LOGO OF THE CITY OF FRUITLAND PARK; RATIFYING USE OF PREVIOUSLY ADOPTED LOGO BUT TRANSITIONING TO USE OF NEW LOGO; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:04:48 p.m. By unanimous consent, the city commission accepted Commissioner Bell’s suggestion for the new logo to include the slogan’s language “The Friendly City”.

After discussion, a motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission adopt the aforementioned Resolution 2021-049 with the slogan as previously cited.

Mr. Carl Yauk, Villages of Fruitland Park (Pine Hills) resident, questioned the need to spend funds for a different logo and its design which he believes is similar to a turkey.

After Mayor Cheshire referred to the city commission's discussions on the transition which would not require expenditure of funds, **Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.**

(b) Resolution 2021-050 – City Manager's Employment Agreement First Am.

Ms. Geraci-Carver read into the record proposed Resolution 2021-050, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE FIRST AMENDMENT TO CITY OF FRUITLAND PARK CITY MANAGER'S EMPLOYMENT AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:10:52 p.m. After discussion and upon Vice Mayor Gunter's suggestion, **the city commission, by unanimous consent, agreed to remove the relocation expenses language under Section 15. A. and B. from the City Manager's Employment Agreement dated October 17, 2013.**

After discussion, **a motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission adopt the aforementioned Resolution 2021-050 as amended to include the removal of the relocation expenses language as previously cited.**

After discussion, Mr. Yauk referred to Section 2 of the agreement; questioned whether the annual performance evaluation is available to the public and if the goals and objectives on same are realistic and have been met.

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

Mr. La Venia expressed his gratitude to the city commission.

(c) Budget Am. BT2022-001 City Manager's Compensation FY 2021-22

The city commission considered its action to approve the transfer of funds to cover the city manager's proposed salary increase.

ACTION: 6:13:56 p.m. After discussion, and **on motion of Commissioner DeGrave, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved Budget Amendment BT2022-001, City Manager's Compensation for FY 2021-22.**

(d) Financial Report - August 2021

The city commission considered its action to accept the August 2021 financial report.

ACTION: 6:14:56 p.m. On motion of Commissioner DeGrave, seconded by Vice Mayor Gunter, and unanimously carried, the city commission approved the August 2021 financial report as submitted.

(e) 2022 Proposed Meeting Schedule

The city commission considered its action to approve the proposed 2022 city commission meeting schedule.

ACTION: 6:16:58 p.m. By unanimous consent, the city commission accepted Mayor Cheshire's suggestion to cancel the August 11 and December 22, 2022 regular meetings.

On motion of Commissioner Mobilian, seconded Vice Mayor Gunter and unanimously carried, the city commission approved the 2022 meeting schedule with the cancellations as previously cited.

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

PUBLIC HEARING

(f) Second Reading and Public Hearing – Ordinance 2021-016 Third Extension Solid Waste Collection Franchise Agreement – Waste Management Inc.

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2021-016, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING A THIRD EXTENSION OF ITS SOLID WASTE COLLECTION FRANCHISE AGREEMENT WITH WASTE MANAGEMENT, INC. OF FLORIDA; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on October 28, 2021.)

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

ACTION: 6:18:13 p.m. A motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission enact Ordinance 2021-016 as previously cited to become effective immediately as provided by law.

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

(g) First Reading and Public Hearing – Ordinance 2021-017 Municipal Firemen’s Pension Trust Fund - Repeal

After Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2021-017, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, REPEALING ORDINANCE 204-1974 WHICH IMPOSED A LEVY AND ADDITIONAL TAX UPON INSURANCE COMPANIES, CORPORATION OR OTHER INSURER ENGAGING IN THE BUSINESS OF PROPERTY INSURANCE THAT FUNDED THE MUNICIPAL FIREMEN’S PENSION TRUST FUND; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on December 9, 2021.)

Following some discussion Ms. Racine acknowledged the receipt of the Fruitland Park Firefighters’ Retirement Trust Fund payment distribution of approximately \$28,000 from the State of Florida Department of Management Services, Division of Retirement, Bureau of Local Retirement Systems and relayed the actuary’s request to repeal the board of trustees’ firefighters pension trust fund. After Ms. Racine indicated that she is still waiting for the outcome to be submitted in writing; thus, recognizing that that about \$734,000 is available in the pension fund account, Ms. Geraci-Carver suggested that the city commission proceed with the approval of the subject ordinance in this regard and addressed her intent to identify what additional funds could be utilized for restricted funds.

Following further discussion, Mr. LaVenja suggested that the Mses. Racine or Geraci-Carver ought to send a letter to the actuary for a response on the portion or costs associated with the subject issue.

ACTION: 6:19:21 p.m. Earlier in the meeting, a motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission approve Ordinance 2021-017 as previously cited. (The city commission accepted the city treasurer’s suggestion to wait on the process and not collect any funds until a determination is made by the state).

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

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

QUASI-JUDICIAL PUBLIC HEARING

(h) First Reading and Quasi-Judicial Public Hearing – Rezoning Ordinance 2021-015 – New Elementary Replacement School - Olive Avenue-Urick Street – R1-PFD – Petitioner: School Board of Lake County

After Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2021-015, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 18.99± ACRES OF PROPERTY LOCATED ON OLIVE AVENUE, FRUITLAND PARK, FLORIDA FROM CITY OF FRUITLAND PARK R-1 ZONING TO THE CITY OF FRUITLAND PARK DESIGNATION OF PUBLIC FACILITIES DISTRICT 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 second reading will be held on December 9, 2021.)

Earlier in the meeting, Vice Mayor Gunter disclosed that he serves on the Lake County School Board Annual Educational Concurrency Review Committee who has been holding discussions over the past four years on the subject matter.

Commissioner Bell announced that school board members have appeared before the city commission at previous meetings to address the proposed construction of the Fruitland Park Elementary School.

Mayor Cheshire disclosed recent ex-parte communications with constituents who made previous inquiries on the issue in question.

Ms. Geraci-Carver swore in the individuals at this evening's meeting who intended to testify on the item in question.

Mr. Williams, who was sworn, described the subject rezoning; recognized the school district's representatives present at this evening's meeting; relayed their willingness to make exceptions to any concerns on the proposed project, and conveyed the recommendations of approval.

After Mr. Williams disclosed a member of the public's opposition to the proposed rezoning in question, he understood Commissioner DeGrave's request that whilst progressing forward with said project, that noise and activities such as trespassing would be mitigated as much as and as soon as possible and that the school district representatives agreed to appear before the city commission at a future meeting to make a presentation on traffic studies and any other related conceptual planning.

Ms. Kelly C. Randall, Lake County School Board District, Growth Planning Department who was previously sworn, addressed the opportunity, as the applicant, to build a new replacement elementary school in the area; noted that the subject property was owned by the district since the 1970's, and relayed the plan to go through the process of retaining an architect and engineer in spring of 2022 with a site plan to be before the city commission for a courtesy review.

ACTION: 6:28:21 p.m. After much discussion, **a motion was made by Vice Mayor Gutner and seconded by Commissioner Bell that the city commission approve Ordinance 2021-015 as previously cited.**

With respect to safety, Mr. Yauk questioned the significant traffic and lack of sidewalks in the existing neighborhoods.

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.

END OF QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

5. (a) City Manager

Economic Development Status Update

Mr. La Venia announced that he has no status update on economic development.

ACTION: 6:39:53 p.m. No action was necessary.

(b) City Attorney

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

Ms. Geraci-Carver announced that she has nothing to report on the State of Florida Department of Management Services case.

ACTION: 6:40:01 p.m. No action was necessary.

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

Ms. Geraci-Carver announced that she has nothing to report on the Michael and Laurie Fewless case.

ACTION: 6:40:01 p.m. No action was necessary.

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 nothing to report on the Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case,

ACTION: 6:40:01 p.m. No action was necessary.

6. UNFINISHED BUSINESS

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

ACTION: 6:40:14 p.m.. No action was taken.

7. PUBLIC COMMENTS

Mr. Yauk referred to the election of the mayor and vice mayor and suggested that the city commission review term limits on same. He pointed out the budget showing repeat and duplication of stormwater management items.

ACTION: 6:40:14 p.m. No action was taken.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian – Beyond the Walls Food Pantry

Commissioner Mobilian announced that his wife Mary Ann has worked diligently with Beyond the Walls Ministry (food bank at Heritage Community Church); reported that from the quarter auction, an amount of \$9,000 was raised last year and \$40,000 was raised this year to support the area and surrounding communities extended to the Cities of Leesburg and Wildwood.

ACTION: 6:41:41 p.m. The city commission expressed heartfelt appreciation.

(b) Commissioner DeGrave

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

ACTION: 6:42:41 p.m. No action was necessary.

(c) Commissioner Bell

Commissioner Bell acknowledged the November 17, 2021 Thanksgiving Luncheon and expressed appreciation.

ACTION: 6:42:46 p.m. No action was necessary.

(d) Vice Mayor Gunter, Jr.

Vice Mayor Gunter gave a report on his and Ms. Coulson's attendance at the November 11 Veterans Day Ceremony held at the American Legion which went very well and his presence at the November 17, 2021 Thanksgiving luncheon.

ACTION: 6:43:07 p.m. No action was necessary.

9. MAYOR'S COMMENTS

(a) Mayor

Mayor Cheshire thanked the city commission for allowing him to serve another year as mayor and addressed his plan to do his best as chair.

ACTION: 6:43:39 p.m. No action was necessary.

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(b) Brother in Blue Salute

Mayor Cheshire reported on the *Brother in Blue Salute* honoring Officer Steve Rothlein (former Broward County Sheriff's deputy; Miami-Dade County Police Department Deputy Director and longtime resident of the Fruitland Park Unincorporated Area) where he together with Vice Mayor Gunter; Commissioner Bell, Mr. La Venia and Chief Luce stopped by to recognize him who, with his family, was appreciative. Mayor Cheshire anticipated that The Daily Sun would write a story of such an occasion.

ACTION: 6:43:51 p.m. No action was necessary.

(c) Dates To Remember

Mayor Cheshire recognized the following events:

- November 19, 2021, *Sponsor's Day Event*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:30 p.m.;
- November 19, 2021, Comedy Night, 205 W Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- November 20, 2021, *Brews Blues & BBQ*, 506 W Berckman Street, Fruitland Park, Florida 34731 at 5:00 p.m.;
- November 25, 2021, Thanksgiving – City Hall Closed;
- November 25, 2021, City Commission regular at 6:00 p.m. – Cancelled
- November 26, 2021, Day After Thanksgiving – City Hall Closed;

- December 3, 2021 *Employee Christmas Party*, 205 W Berckman Street, Fruitland Park, Florida 34731 at 7:00 p.m.;
- December 8, 2021, Lake County School Board Annual Educational Concurrency Review Committee Meeting, Lake County District Office Board Room, 201 West Burleigh Boulevard, Tavares, Florida 32778 at 10:00 a.m.;

- December 8, 2021, LS~MPO Governing Board Meeting, MPO Board Room Suite 175, 1300 Citizens Boulevard, Leesburg, Florida 34748 at 2:00 p.m.;
- December 9, 2021, City Commission regular at 6:00 p.m.;
- December 10, 2021 – LCLC *Housing and Transportation Presentation and Year-End Wrap-Up*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- December 10, 2021, *Hometown Christmas*, outside City Hall, 506 W Berckman Street, Fruitland Park, Florida 34731 at 5:30 p.m.;
- December 15, 2021, Boy Scouts of America *Central Florida Council Salute to Veterans Breakfast*, Venetian Center, City of Leesburg Recreation Complex, 1851 Griffin Road, Leesburg, Florida 34748 at 8:00 a.m.;
- December 16, 2021 City Employee Appreciation Luncheon, Heritage Community Church, Berckman Street Fruitland Park, Florida 34731 at 11:00 a.m.;
- December 18, 2021, 9th Annual *Wreaths Across America Day* Ceremony, Shiloh Cemetery, Fruitland Park, Florida 34731 at 12:00 p.m.;
- December 23, 2021, City Commission regular at 6:00 p.m. – Cancelled;
- December 24, 2021, Christmas Eve – City Hall Closed
- December 25, 2021, Christmas Day
- December 27, 2021, Public Holiday – City Hall Closed

ACTION: 6:45:01 p.m. No action was necessary.

10. 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 6:47 p.m.

The minutes were approved at the December 9, 2021 regular meeting.

Signed _____
Esther B. Coulson, City Clerk, MMC

Signed _____
Chris Cheshire, Mayor

**FRUITLAND PARK CITY COMMISSION REGULAR
DRAFT MEETING MINUTES
October 28, 2021**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, October 28, 2021 at 6:00 p.m.

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

Also Present: Attorney Sanford A. “Sandy” Minkoff representing the City Attorney, City Treasurer Jeannine Racine; Chief Erik Luce; Community Development Director Dwyane Williams; Human Resources Director Jabari Hopkins, Fire Lieutenant Philip C. Aldrich Emergency Medical Technician and Firefighter Paramedic “Joe” Joseph Casha, Lake County Fire Rescue, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, Commander Larry Miller, John Gella Memorial Unit 219 American Legion, gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:00:19 p.m. No action was taken.

2. ROLL CALL

After Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was declared present, he reviewed the following changes to this evening’s agenda:

4.(g) Ordinance 2021-016 Solid Waste Collection Franchise Agreement

Addendum – Third amendment to restated solid waste collection agreement (90-day extension).

and

4.(i) Resolution 2021-045 Major Site Plan – 7-Eleven Construction

Addendum - Supplemental Agenda

ACTION: 6:01:40 p.m. **By unanimous consent and upon Mayor Cheshire’s suggestion, the city commission approved the changes as previously cited on this evening’s agenda**

3. CONSENT AGENDA

Approval of Minutes - September 9 and September 23, 2021 regular meetings.

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

4. REGULAR AGENDA

(a) Resolution 2021-047 – Events Committee Creation

Mr. Minkoff read into the record proposed Resolution 2021-047, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CREATING THE CITY OF FRUITLAND PARK EVENTS COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:02:52 p.m. After Mayor Cheshire recalled the city commission's previous position to create a centennial committee and not an events committee, and **by unanimous consent, the city commission approved striking the name *Events Committee* and changing it read *Centennial Committee*,**

A motion was made by Commissioner Bell and seconded by Commissioner DeGrave that the city commission adopt previously cited Resolution 2021-047 as amended.

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

(b) Resolution 2021-048 – Events Committee Member Appointments

Mr. Minkoff read into the record proposed Resolution 2021-048, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING MEMBERS TO THE CITY OF FRUITLAND PARK EVENTS COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:04:14 p.m. Upon Mayor Cheshire's suggestion and **by unanimous consent, the city commission approved striking the name *Events Committee* and changing it read: *Centennial Committee*.**

Following further deliberations and at Vice Mayor Gunter's request, Mr. Edgar "Jerry" Elton, City of Fruitland Park resident, shared his concept of the centennial committee by means of the community celebrating throughout the year the community's history (how it has evolved and the changes and accomplishments) since its one hundred years of existence.

After discussion and **by unanimous consent, the city commission accepted Mr. Elton as a potential applicant and postponed appointing members to the centennial committee until the January 13, 2022 regular meeting.**

On motion of Commissioner DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission postponed its adoption of Resolution 2021-048 as previously cited to the January 13, 2022 regular meeting and directed staff to seek more qualified applicant(s) as additional member(s) to serve on the Centennial Committee and outline the duties of same.

(c) Resolution 2021-044 – Records and Archive Management Services - Professional Services Agreement – SML Inc.

Mr. Minkoff read into the record proposed Resolution 2021-044, the substance of which is as follows;

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN SML, INC. AND CITY OF FRUITLAND PARK CONTRACT FOR RECORDS AND ARCHIVE MANAGEMENT SERVICES; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:17:53 p.m. Following considerable discussion, a motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission postpone its action to adopt Resolution 2021-044 to a future meeting and directed the city clerk to provide more information on the records and archive management services contract's project scope, proposed deliverables, and timeframe.

(d) Police Department Vehicle Quote

The city commission considered its action to approve the quote for two 2021 Ford Interceptor Utility patrol vehicles from Bartow Ford with lights package (piggyback contract from Charlotte County) for \$96,591.28.

Mr. Luce pointed out the inexpensive quote he obtained for a video system utilized by the police department and requested an expenditure of \$95,949.28.

ACTION: 6:32:11 p.m. After much discussion, and on motion of Commissioner DeGrave and seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the expenditure of \$95,949.28 for the vehicles as previously cited.

By unanimous consent, Mayor Cheshire opened the public hearings.

QUASI-JUDICIAL PUBLIC HEARING

(e) Second Reading and Public Hearing – Ordinance 2021-006 - SSCPA – 115 S Villa Avenue – Petitioner: New Life Presbyterian Church of Lake County Inc.

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2021-006, Mr. Minkoff read the following title and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO TRANSITIONAL OF 0.26 ± ACRES OF PROPERTY LOCATED AT 115 SOUTH VILLA AVENUE, FRUITLAND PARK, FLORIDA; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; 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 June 10, 2021.)

ACTION: 6:37:35 p.m. A motion was made by Commissioner Bell and seconded by Commissioner Mobilian that the city commission enact Ordinance 2021-006 as previously cited to become effective thirty-one (31) days after adoption. If challenged within thirty (30) days after adoption, said ordinance may not become effective until the state land planning agency or administrative commission respectively issues a final order determining that the ordinance is in compliance.

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

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

(f) Second Reading and Public Hearing - Ordinance 2021-007 - SSCPA – 212 E LaVista Street – Petitioner: New Life Presbyterian Church of Lake County Inc.

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2021-007, Mr. Minkoff read the following title and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, PROVIDING FOR A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO

INSTITUTIONAL OF 0.25 ± ACRES OF PROPERTY LOCATED AT 212 EAST LAVISTA STREET, FRUITLAND PARK, FLORIDA; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; 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 June 10, 2021.)

ACTION: 6:38:53 p.m. **By unanimous consent, the city commission accepted the unsworn testimony given at the June 10, 2021 first reading and public hearing from the city manager and former community development director.**

A motion was made by Commissioner Mobilian and seconded by Vice Mayor Gunter that the city commission accepted the June 10, 2021 unsworn testimony as previously cited and enact aforementioned Ordinance 2021-007 to become effective thirty-one (31) days after adoption. If challenged within thirty (30) days after adoption, said ordinance may not become effective until the state land planning agency or administrative commission respectively issues a final order determining that the ordinance is in compliance.

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

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

END OF QUASI-JUDICIAL PUBLIC HEARING

PUBLIC HEARING

- (g) First Reading and Public Hearing – Ordinance 2021-016 Third Extension Solid Waste Collection Franchise Agreement – Waste Management Inc.**

Mr. Minkoff read into the record proposed Ordinance 2021-016, the substance of which is as follows;

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING A THIRD EXTENSION OF ITS SOLID WASTE COLLECTION FRANCHISE AGREEMENT WITH WASTE MANAGEMENT, INC. OF FLORIDA; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 18, 2021.)

Mr. Doug McCoy, Waste Management Inc., gave reasons why Waste Management is requesting a delay for an additional 90 days if required.

ACTION: 6:40:25 p.m. After discussion, a motion was made by Commissioner Bell and seconded by Commissioner DeGrave that the city commission approve Ordinance 2021-016 as previously cited for an additional ninety (90) days effective to the end of March 31, 2022.

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

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

(h) Second Reading and Public Hearing - Ordinance 2021-014 SRF Loan Program Project #WW350821/SG350822 – FY 2022 – FDEP

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2021-014, Mr. Minkoff read the following title 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 first reading was held on October 14, 2021.)

ACTION: 6:44:18 p.m. A motion was made by Commissioner DeGrave and seconded by Commissioner Mobilan that the city commission enact the aforementioned Ordinance 2021-014 to become effective immediately as provided by law contingent upon receiving the opinion letter by the city attorney.

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

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

SUPPLEMENTAL AGENDA

- (i) **Resolution 2021-045 Major Site Plan Approval – Seven-Eleven Construction - Petitioners: Fruitland Park Ella LLC and RKM Development Corp**

Mr. Minkoff read into the record proposed Resolution 2021-045, the substance of which is as follows;

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING MAJOR SITE PLAN APPROVAL WITH CONDITIONS TO ALLOW FOR CONSTRUCTION OF A SEVEN-ELEVEN; PROVIDING FOR CONDITIONS; AUTHORIZING THE CITY MANAGER TO ISSUE A NOTICE OF SITE PLAN APPROVAL UPON COMPLETION OF ALL CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:45:56 p.m. After discussion, a motion was made by Vice Mayor Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2021-045 as previously cited

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

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

END OF PUBLIC HEARING

5. (a) **City Manager
Economic Development Status Update**

Mr. La Venia was not present to address the economic development status update at this time.

ACTION: :6:49:41 p.m. No action was necessary.

- (b) **City Attorney**
i. **City of Fruitland Park v. State of Florida Department of Management Services**

Mr. Minkoff relayed Ms. Geraci-Carver's conversations with the city commission on the October 19, 2021 closed-session and the updates given in that regard.

ACTION: 6:49:41 p.m. No action was necessary.

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

Mr. Minkoff relayed Ms. Geraci-Carver's conversations with the city commission on the October 19, 2021 closed-session and the updates given in that regard.

ACTION: 6:49:41 p.m. No action was necessary.

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

There was nothing to report on the Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case No. 2020-CA-1026.

ACTION: 6:49:41 p.m. No action was necessary.

6. UNFINISHED BUSINESS

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

ACTION: 6:49:52 p.m. No action was taken.

7. PUBLIC COMMENTS

There were no comments from the public at this time.

ACTION: 6:49:52 p.m. No action was taken.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

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

ACTION: 6:50:12 p.m. No action was taken.

(b) Commissioner DeGrave – City Manager

Due to the development activities taking place, Commissioner DeGrave gave a report on the results of surrounding municipal city managers' salaries provided by staff and requested that the city commission consider making an adjustment to Mr. La Venia's contract.

ACTION: 6:50:22 p.m. After discussion and **by unanimous consent, the city commission accepted the proposal by Commissioner DeGrave to increase City Manager Gary La Venia's current salary to \$135,000 per annum; request that funds be earmarked in the FY 2021-22 budget for same, and direct the city attorney to draft an amendment to his employment agreement for consideration on the next agenda.**

(c) **Commissioner Bell – The Late David M. Serdar**

After Commissioner Bell believed that the city ought to recognize the late Unincorporated Aera Fruitland Park Resident David Serdar who recently passed away due to a bike accident, Vice Mayor Gunter and Mayor Cheshire pointed out the memorial service to be held in his honor on Saturday, November 13, 2021 at 4:00 p.m. at Northside Christian Church, 3115 Eagles Nest Road, Fruitland Park, Florida 34731

ACTION: 6:53:01 p.m. No action was taken.

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

Vice Mayor Gunter stated that he has nothing to report at this time.

ACTION: 6:54:40 p.m. No action was taken.

9. MAYOR'S COMMENTS

(a) **The Late David M. Serdar**

Mayor Cheshire concurred with the sentiments addressed by Commissioner Bell and Vice Mayor Gunter

ACTION: 6:55:12 p.m. No action was taken.

(b) **Dates to Remember**

Mayor Cheshire announced the following dates:

- November 11, 2021, Veterans' Day, City Hall Closed;
- November 11, 2021, City Commission regular at 6:00 p.m. - Cancelled.
- November 18, 2021, City Commission special at 6:00 p.m.;
- November 19, 2021, *Sponsor's Day Event*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:30 p.m.;
- November 20, 2021, *Brews Blues & BBQ*, 201 W Berckman Street, Fruitland Park, Florida 34731 at 5:00 p.m.;
- November 25, 2021, Thanksgiving – City Hall Closed;
- November 25, 2021, City Commission regular at 6:00 p.m. - Cancelled
- November 26, 2021, Day After Thanksgiving – City Hall Closed;

- December 8, 2021, Lake County School Board Annual Educational Concurrency Review Committee Meeting, Lake County District Office Board Room, 201 West Burleigh Boulevard, Tavares, Florida 32778 at 10:00 a.m.;
- December 3, 2021 *Employee Christmas Party*, 205 W Berckman Street, Fruitland Park, Florida 34731 at 7:00 p.m.;
- December 8, 2021, LS~MPO Governing Board Meeting, MPO Board Room Suite 175, 1300 Citizens Boulevard, Leesburg, Florida 34748 at 2:00 p.m.;
- December 9, 2021, City Commission regular at 6:00 p.m.;

- December 10, 2021 – LCLC *Housing and Transportation Presentation and Year-End Wrap-Up*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- December 10, 2021, *Hometown Christmas*, outside City Hall, 506 W Berckman Street, Fruitland Park, Florida 34731 at 5:30 p.m.;
- December 23, 2021, City Commission regular at 6:00 p.m. – Cancelled;
- December 24, 2021, Christmas Eve – City Hall Closed
- December 25, 2021, Christmas Day
- December 27, 2021, Public Holiday – City Hall Closed

ACTION: 6:55:15 p.m. On motion of Commissioner Bell, seconded by Commissioner DeGrave and unanimously carried, the city commission reappointed Vice Mayor John L. Gunter Jr. to serve on the Lake County School Board Annual Educational Concurrency Review Committee Meeting for the year 2021-22

10. 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 6:57 p.m.

The minutes were approved at the December 9, 2021 regular meeting.

Signed _____
Esther B. Coulson, City Clerk, MMC

Signed _____
Chris Cheshire, Mayor

**FRUITLAND PARK CITY COMMISSION REGULAR
DRAFT MEETING MINUTES
October 14, 2021**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, October 14, 2021 at 6:00 p.m.

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

Also Present: City Manager Gary La Venia; City Attorney. Anita Geraci-Carver, City Treasurer Jeannine Racine; Senior Finance Specialist Christine Hoop, Finance Department; Lieutenant Henry Rains, Police Department, Public Works Director Robb Dicus; Community Development Director Dwyane Williams; Parks and Recreation Director Michelle Yoder, Human Resources Director Jabari Hopkins, Lake County Fire Rescue Matt Einhorn and Chris Albert, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, Pastor Allen T. Tillman, New Salem Missionary Baptist Church of Fruitland Park Inc., gave the invocation and Lieutenant Rains led in the pledge of allegiance to the flag.

ACTION: 6:00:02 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: 6:02:21 p.m.

3. SPECIAL PRESENTATIONS

(a) Proclamation – *White Cane Safety Day October 15, 2021*

On behalf of the city commission, Mayor Cheshire read into the record a Proclamation recognizing October 15, 2021 as *White Cane Safety Day* for persons who are blind and visually impaired and encouraged the citizens to be conscious that persons with disabilities have much to offer where their energy, creativity and hard work can greatly strengthen our city and our economy, and to be mindful that the white cane is an instrument of safety and independence for persons who are blind and visually impaired.

ACTION: 6:02:43 p.m. Mses. Christine “Christy” A. Delmonico and Sherry Garred, New Vision for Independence Inc., accepted the proclamation with gratitude.

(b) **Public Works and Public Safety Complex Buildings Presentation - GatorSkitch Corporation**

Mr. "Mike" Michael B. Latham, GatorSkitch Corporation, gave a power-presentation on the public works and public safety buildings and addressed the procedures to be implemented, if approved to which Mr. La Venia anticipated the procurement process, in working with Halff Inc., to begin at the end of 2021. (The power-point presentation is filed with the supplemental papers to the minutes of this meeting.)

ACTION: 6:05:50 p.m. After much discussion, and by **unanimous consent, the city commission accepted the public works and public safety complex buildings presentation as submitted and authorized staff to proceed with the public works and public safety complex building projects.**

4. CONSENT AGENDA

The city commission considered its approval of the following consent agenda items:

(a) **Approval of Minutes**

- i. **August 2, workshop**
- ii. **August 3, workshop**

(b) **Resolution 2021-040 City Treasurer Appointment**

A RESOLUTION OF THE CITY OF FRUITLAND PARK, APPOINTING A CITY TREASURER, PROVIDING FOR THE TERM OF OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

(c) **Resolution 2021-041 City Attorney Appointment**

A RESOLUTION OF THE CITY OF FRUITLAND PARK, APPOINTING A CITY ATTORNEY, PROVIDING FOR THE TERM OF OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

(d) **Resolution 2021-042 City Clerk Appointment**

A RESOLUTION OF THE CITY OF FRUITLAND PARK, APPOINTING A CITY CLERK, PROVIDING FOR THE TERM OF OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

(e) **Resolution 2021-043 - LCLC Membership**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER AND ALTERNATE TO THE LAKE COUNTY LEAGUE OF CITIES, INC.; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

(f) **Wreaths Across America Day Program**

Motion to grant John Gella Memorial Unit 219 of the American Legion Auxiliary's request permitting them to hold the ninth annual Wreaths

Across America Ceremony at Shiloh Cemetery on Saturday, December 18, 2021.

ACTION: 6:28:09 p.m. After discussion and **on motion Commissioner DeGrave, seconded by Commissioner Bell and unanimously carried, the city commission approved the consent agenda as previously cited.**

5. REGULAR AGENDA

(a) Resolution 2021-034 Soccer Field 5th Am. – NW Lake Community Park

Ms. Geraci-Carver read into the record proposed Resolution 2021-034, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE FIFTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the September 9, 2021 regular meeting.)

ACTION: 6:28:51 p.m. After discussion, **a motion was made by Commissioner Bell and seconded by Commissioner Mobilian that the city commission adopt Resolution 2021-034 as previously cited.**

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

(b) Resolution 2021-039 Fire Department State Pension Budget Amendment FY 2020-2021

Ms. Geraci-Carver read into the record proposed Resolution 2021-039, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2020/2021 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE FIRE INSURANCE PREM TAX PENSIONS REVENUE BUDGET AND THE STATE FIREFIGHTER RETIRMENT CONTRIBUTION EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:31:27 p.m. Following much discussion, **a motion was made by Commissioner DeGrave and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2021-039 as previously cited.**

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

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

PUBLIC HEARING

(c) First Reading and Public Hearing - Ordinance 2021-014 SRF Loan Program Project #WW350821/SG350822 – FY 2022 – FDEP

Ms. Geraci-Carver read into the record the following title of Ordinance 2021-014, 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 November 18, 2021.)

ACTION: 6:37:22 p.m. Following much discussion, **a motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission approve Ordinance 2021-014 as previously cited.**

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 unanimously carried.

END OF PUBLIC HEARING

QUASI-JUDICIAL PUBLIC HEARING

(d) Second Reading and Quasi-Judicial Public Hearing – 2021-010 Private Property Rights Element – Comprehensive Plan Amendment

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2021-010, after Ms. Geraci-Carver read into the record the title, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, STATE OF FLORIDA, PURSUANT TO THE PROVISIONS OF FLORIDA STATUTE 163.3184; AMENDING

THE CITY'S COMPREHENSIVE PLAN; ADDING AND ADOPTING, PRIVATE PROPERTY RIGHTS ELEMENT OF THE COMPREHENSIVE PLAN; DIRECTING THE CITY CLERK TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE FLORIDA; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on August 26, 2021.)

ACTION: 6:50:10 p.m. After further discussion, a motion was made by Commissioner Mobilian and seconded by Commissioner Bell that the city commission adopt Ordinance 2021-010 as previously cited to become effective the date the state land planning agency issues a final order determining the comprehensive plan to be in compliance with Chapter 163, Florida Statutes, or the date the Division of Administrative Hearings issues a final order determining the adopted 2035 Comprehensive Plan to be in compliance with Chapter 163, Florida Statutes, whichever occurs first.

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 unanimously carried.

END OF QUASI-JUDICIAL PUBLIC HEARING

6. (a) **City Manager**

i. **Economic Development Status Update**

With respect to future economic developments, Mr. La Venia mentioned the plan to meet on October 20, 2021 with staff and representatives of: Benchmark Development I, LLC and addressed the proposed town homes planned by Fruitland Park LLC.

Mr. La Venia relayed concerns to the recent proposition for 750 apartment units on thirty-five acres at the site around the vicinity of North CR 466A and East Timbertop Lane. After he recommended that the developer refer to Boundary Amendment Ordinance 2008-018 rezoning planned unit development-mixed use (enacted by the city commission at its December 10, 2008 quasi-judicial public hearing), Ms. Geraci-Carver pointed out the master development agreement and the Live Oak Center Conceptual Plan. and outlined the process in which to propose same before the commission.

ACTION: 6:41:41 p.m. After further discussion and **by unanimous consent, the city commission directed staff to reject the proposition for development as previously cited by the city manager.**

ii. Events - Parks and Recreation

Ms. Yoder gave a report on the following events at the recreation center:

- October 8, 2021 *Spooktacular Movie and Party Night* with a costume contest;
- October 22, 2021 *Comedy Night Show* at 8:00 p.m. for \$20.00
- November 20, 2021 *Brews Blues and BBQ*, an annual event evolved from *Fruitland Park Day*, hosted by the Firefighter Charity of Central Florida – proceeds are donated to local charities; a copy of which is filed with the supplemental papers to the minutes of this meeting
- December 3, 2021 *Employee Christmas Party*, and
- December 10, 2021, *Hometown Christmas*

ACTION: 6:50:50 p.m. **By unanimous consent, the city commission accepted staff's request to sanction the annual Brews Blues and Barbeque as a city-event.**

iii. Vacation

Mr. La Venia announced that he will be away on vacation during the last week in October 2021 and will not be able to attend the October 28, 2021 regular meeting.

ACTOPM" 7:06:18 p.m. No action was necessary.

(b) City Attorney

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

Ms. Geraci-Carver addressed the need for obtaining advice relating to litigation strategy, expenditures, and settlement negotiations on the Department of Management Services Division of Retirement, State of Florida, Division of Administrative Hearings Case No. 20-0644.

Ms. Geraci-Carver announced that the closed-session is to be held on October 19, 2021 at 6:00 p.m. in the city commission chambers at 506 West Berckman Street, Fruitland Park, Florida 34731 and then closed-session in the conference room expected to take one to one-and-a half hours and she identified those anticipated to be present in accordance to Florida Statutes.

ACTION: 6:59:11 p.m. **By unanimous consent, the city commission agreed to hold the Attorney-Client Closed Session on the above-captioned case on October 19, 2021 as previously cited by the city attorney.**

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

Ms. Geraci-Carver addressed the plan to hold an attorney-client sessions with the need for advice on expenditures and settlement negotiations on the Michael and Laurie Fewless, Lake County Case No. 2020-CA-000104.

ACTION: 6:59:11 p.m. **By unanimous consent, the city commission agreed to hold the Attorney-Client Closed Session on the above-captioned case on October 19, 2021 as previously cited by the city attorney.**

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

Ms. Geraci-Carver reported on the Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case No. 2020-CA-1026 foreclosure hearing on the motion for final summary judgement by the plaintiffs which is scheduled for March 1, 2022 and anticipated final resolution in that regard.

ACTION: 6:58:52 p.m. No action was taken.

iv. City Seal/Logo

Ms. Geraci-Carver requested the city commission's direction on the city seal/logo and referred to the Florida Statutes to enact an ordinance designating the seal. She recognized the city's current logos and the city's official seal kept by the city clerk. Ms. Geraci-Carver acknowledged local governments' enforcements on their trademarks and designations to provide protections with permissions to implement same which the city commission could pursue and addressed her intent to obtain clarification recognizing other "friendly city" and "windmill" designations.

After pointing out the city commission's consensus at its May 28, 2021 regular meeting agreeing to change the city's current friendly city logo by slowly transitioning to the windmill logo, Ms. Geraci-Carver believed the city commission ought to adopt a resolution approving the two logos.

ACTION: 7:01:06 p.m. After discussion and **by unanimous consent, the city commission agreed for the city attorney to draft a resolution adopting the logos as previously cited by phasing out one and have the permission to utilize both.**

v. City Attorney's Absence

Ms. Geraci-Carver reported that she will be out-of-town during the last week of October 2021 and that Attorney Sanford "Sandi" Minkoff will be attending on her behalf.

ACTION: 7:06:06 p.m. No action was necessary.

7. UNFINISHED BUSINESS

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

ACTION: 7:06:43 p.m. No action was necessary.

8. PUBLIC COMMENTS

Mr. David Serdar, City of Fruitland Park Unincorporated Area resident, addressed the need for younger people to be in service.

ACTION: 7:06:47 p.m. No action was necessary.

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

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

ACTION: 7:10:27 p.m. No action was necessary.

(b) Commissioner DeGrave

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

ACTION: 7:10:30 p.m. No action was necessary.

(c) Commissioner Bell

i. Public Works and Public Safety Complex Buildings Presentation - GatorSkitch Corporation

The city commission voiced their concurrence with Commissioner Bell's concerns on the difficulty to view the power-point presentation on the public works and public safety complex buildings made earlier on this evening's meeting agenda under Item 3.(b).

Mr. La Venia reported on the Sumter County Board of County Commission's actions at its October 12, 2021 regular meeting on its four action steps to implement its vote for two district fire operations and two district Emergency Medical Services (EMS) Transport Operations and the process (before FY 2022-23) to become established as independent special fire control districts under Chapter 191 of the Florida Statutes where EMS will be incorporated in that regard and The Villages Public Safety Department will be stand alone.

Mr. La Venia addressed the need in the future to conduct further research on the potential consequences of the counties' Municipal Services Taxing Units, the local governments' fire assessments and modifications to their respective contracts.

After Commissioners DeGrave and Moblian voiced concerns on Sumter County's omission in communicating with the affected governmental entities and the rural areas; its lack of financial information provided, and its ultimate decision reached in that regard, Commissioner DeGrave suggested formulating concerns in writing to Sumter County Commission amongst Lake and Marion Counties and their governmental entities.

ACTION: 7:10:34 p.m. By unanimous consent, the city commission directed the city manager to write a letter to Mr. Richard J. Bair, The Villages Community Development District, outlining the city commission's concerns on Sumter County's position to become established as independent special fire control districts as previously cited.

ii. LCLC Appointment

Mr. La Venia relayed the Lake County League of City's appointment of Commissioner Bell as vice president at its October 8, 2021 meeting..

ACTION: 7:25:42 p.m. No action was necessary.

(d) Vice Mayor Gunter, Jr.

Vice Mayor Gunter stated that he has nothing to report at this time.

ACTION: 7:24:27 p.m. No action was necessary.

10. MAYOR'S COMMENTS

(a) Public Works and Public Safety Complex Buildings Presentation - GatorSkitch Corporation

Following Mayor Cheshire's suggestion for the grant writer to seek grant funding for solar energy efficiency grants as it relates to the public works and public safety complex buildings, Mr. La Venia pointed out the October 8, 2021 Lake County League of Cities' presentation made by US Congressman Daniel Webster on his support for the passage of the infrastructure bill and recalled recent conversations he had with Mayor Cheshire on the placement of charging stations in the city's buildings.

Commissioner DeGrave suggested reviewing the Land Development Regulations to include such provisions when siting a fuel station or hotel development.

ACTION: 7:24:31 p.m. By unanimous consent, the city commission directed the city manager to make arrangements with Liberty Partners of

Tallahassee LLC, grant writers retained by the city, to explore grant applications relating to solar incentives/energy conservation efficiency grant programs for the public works building and the new public safety complex building.

(b) Dates To Remember

Mayor Cheshire acknowledged the following events:

- October 19, 2021 in the city commission chambers and then closed-session in the conference room at 6:00 p.m.
- October 27, 2021, Lake~Sumter Metropolitan Planning Organization (LS~MPO) Governing Board Meeting, MPO Board Room Suite 175, 1300 Citizens Boulevard, Leesburg, Florida 34748 at 2:00 p.m.;
- October 28, 2021, City Commission regular at 6:00 p.m.;

- November 8, 2021, Lake County Parks, Recreation and Trails Advisory Board, Office of Parks and Trails Conference Room, 2401 Woodlea Road, Tavares Florida 32778 at 3:30 p.m.;
- November 11, 2021, Veterans' Day, City Hall Closed;
- November 11, 2021, City Commission regular at 6:00 p.m. – Cancelled;
- November 17, 2021, Thanksgiving Luncheon Community Center, 201 205 W Berckman Street, Fruitland Park, Florida 34731 at 12:00 p.m.;
- November 18, 2021, City Commission special at 6:00 p.m.;
- November 19, 2021, *Sponsor's Day Event*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:30 p.m.;
- November 25, 2021, Thanksgiving – City Hall Closed;
- November 25, 2021, City Commission regular at 6:00 p.m. – Cancelled, and
- November 26, 2021, Day After Thanksgiving – City Hall Closed;

ACTION: 7:28:04 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 7:29 p.m.

The minutes were approved at the December 9, 2021 regular meeting.

Signed _____
Esther B. Coulson, City Clerk, MMC

Signed _____
Chris Cheshire, Mayor

RESOLUTION 2021-051

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE MEMORANDUM OF AGREEMENT FOR POLLING PLACE – 2022 – PRECINCT #25 BETWEEN LAKE COUNTY SUPERVISOR OF ELECTIONS & CITY OF FRUITLAND PARK FOR USE OF FRUITLAND PARK COMMUNITY CENTER FOR AUGUST 23, 2022 PRIMARY ELECTION AND NOVEMBER 8, 2022 GENERAL ELECTION; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission is empowered pursuant to §166.021, *Florida Statutes*, to conduct municipal government, perform municipal functions, and render municipal services, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City Comm authorized by Section 163.01, Florida Statutes to enter into interlocal agreements with other governmental offices; and

WHEREAS, the City of Fruitland Park desires to provide a convenient polling location within the City of Fruitland Park for its residents to be able to cast his or her vote; and

WHEREAS, the City Commission of the City of Fruitland finds entering the Memorandum of Agreement Polling Place – 2022- Precinct #25.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. Memorandum of Agreement Polling Place – 2022- Precinct #25 between Lake County Supervisor of Elections and the City of Fruitland Park, **a copy of which is attached hereto**, is approved.

Section 2. The Commission authorizes the City Manager to execute the Agreement.

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

PASSED AND RESOLVED this ____ day of December, 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

Memorandum of Agreement for Polling Place – 2022 – Precinct # 25

Please fill out completely. Keep a copy for your records.

The Owner/Occupant agrees to provide a Polling Place to the Lake County Supervisor of Elections for the following election(s):

Primary Election: Tuesday, August 23, 2022
General Election: Tuesday, November 8, 2022
At the following location: Fruitland Park Community Center
205 W. Berkman St., Fruitland Park
Polling Room / Building:



GENERAL INFORMATION

To the extent permitted by Section 768.28, Florida Statutes, the County of Lake, agrees to indemnify and hold harmless the Owner/Occupant for any claims for bodily injury or property damage occurring on the occupied premises arising from negligent acts of the County or any of its agents or employees. In accordance with Florida Statute 102.031(e) the owner, operator, or lessee of the property on which a polling place or an Early Voting site is located, or an agent or employee thereof, may not prohibit the solicitation of voters outside of the no-solicitation zone (measured 150' from the entrance to the polling place) during polling hours.

Rental Payment Fee is \$100.00 per Election Held.

Does the owner waive the Rental Payment Fee? Yes No

Please submit an invoice for payment to the Supervisor of Elections following each election held.

CHECK SHOULD BE MADE PAYABLE TO: City of Fruitland Park
MAILING ADDRESS: 506 W Berckman Street, Fruitland Park, FL 34731

The Polling Room MUST be opened by 6 am and is in continual use until the completion of all election activities that day. Gated communities must be open to the public at 6 am until the close of polls. Polling hours are 7:00 am – 7:00 pm.

Please Note: Voting equipment is delivered the Thursday or Friday before Election Day and pick up is the Wednesday or Thursday following Election Day. Owner/Occupant shall make reasonable efforts to safeguard equipment. Also, no video recording (including security surveillance) is allowed in polling room during polling times.

YOUR SPECIAL INSTRUCTIONS: _____

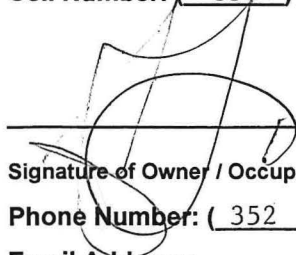
BUILDING ACCESS / USE

Is it possible for the election team to setup the polling room the afternoon before Election Day? Yes No
Have the Precinct Clerk sign out a key the day before the election? Yes No
Issue a key to an Election Office employee? Yes No
Supervisor of Elections shall have exclusive use of the Polling Room on Election Day? Yes No
Do you have tables and chairs available for the election board members to use on Election Day? Yes No
Is there secure on-site storage space for election equipment? Yes No

BUILDING ACCESS CONTACTS

Name: Michelle Yoder Name: Robb Dicus
Phone Number: (352) 901 6348 Phone Number: (352) 360 6795
Cell Number: (352) 516 9149 Cell Number: (352) 308 - 6651

OWNER / OCCUPANT ACKNOWLEDGEMENT

Signature of Owner / Occupant:  Address: 201 W Berckman Street, Fruitland Park
FL 34731
Phone Number: (352) 360 - 6727 Date: December 3, 2021
Email Address: glavenia @fruitlandpark.org

Please return this form and the Polling Place Questionnaire to; duke@lakevotes.gov, or the address or fax # listed below.

11/16/2021 1:40 PM

D. ALAN HAYS, D.M.D. LAKE COUNTY SUPERVISOR OF ELECTIONS
P.O. Box 457, Tavares, FL 32778 / www.LakeVotes.gov / Tel: 352-253-1438 / Fax: 352-343-3605
duke@lakevotes.gov / bob@lakevotes.gov



POLLING PLACE QUESTIONNAIRE 2022

Please fill out completely. Keep a copy for your records.

Precinct # 25

1. Who is the facility contact person that handles election matters (equipment delivery and retrieval)?

Michelle Yoder	myoder	@	fruitlandpark.org	352 516 9149
_____	_____	_____	_____	_____
Name (Please Print)	E-mail address			Phone Number

2. Who is the contact person(s) who will be opening the polling place on Election Day (no later than 6:00 a.m.)?

Note: We MUST have a home phone number and a cell phone number for the opening person and emergency backup person in case the opener does not arrive by 6 a.m. If we are provided a key and/or code to enter the building, this question does not apply. If the doors to the facility are not opened by 6:00 a.m. a locksmith will be dispatched, or alternative means of entry will occur.

Michelle Yoder	myoder	@	fruitlandpark.org	352 516 9149
_____	_____	_____	_____	_____
Name (Opening Person)	E-mail address			Cell Phone #
() -	352 901 6348	() -		
Home Phone #	Work Phone #			

Robb Dicus	rdicus	@	fruitlandpark.org	352) 308 6651
_____	_____	_____	_____	_____
Name (Emergency Back Up)	E-mail address			Cell Phone #
() -	352 360 6795	() -		
Home Phone #	Work Phone #			

3. Please provide the name of the electric company for this polling place: Leesburg Electric (City of)

4. Please provide the name of the water/sewer company for this polling place: City of Fruitland Park

5. Is there a kitchen facility available for election workers use (refrigerator and/or microwave)? Yes or No (Please circle one) Yes

6. Since the 2020 General Election, have any changes been made to the polling room, parking lot, sidewalks, or any areas necessary to access the polling room? Yes or No (Please circle one) No

a. If so, please explain: _____

7. Is there any scheduled remodeling in 2022 that may impact the polling room, parking lot, sidewalks, or any areas necessary to access the polling room? Yes or No (Please circle one) No

a. If so, please explain: _____

8. If the facility is monitored with an alarm system, can the opening person of the building disarm it? Yes or No (Please circle one) No contact Michelle Yoder @

Please return this form and the Memorandum of Agreement to: duke@lakevotes.gov, or the address or fax # listed below.

D. ALAN HAYS, D.M.D. LAKE COUNTY SUPERVISOR OF ELECTIONS
P.O. Box 457, Tavares, FL 32778 / www.LakeVotes.gov / Tel: 352-253-1438 / Fax: 352-343-3605
duke@lakevotes.gov / bob@lakevotes.gov

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

ITEM TITLE: Resolution 2021-052 Amendment - Tyler Technologies Inc.
For the Meeting of: December 9, 2021
Submitted by: City Attorney/City Treasurer/City Manager/Community Development Director/ Human Resources Director)
Date Submitted: December 2, 2021
Funds Required: Yes (01524-30340)
Amount Required: N/A
Attachments: Proposed Resolution and Amendment to Agreement

Item Description: Resolution 2021-052 Amendment – Tyler Technologies Inc. (MUNIS® Division) for the finance department’s software to add an additional component for building permit processing, code enforcement, and maplink GIS integration .

Action to be Taken: Adopt Resolution 2021-017.

Staff’s Recommendation: Approval

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

RESOLUTION 2021-052

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AMENDMENT BETWEEN TYLER TECHNOLOGIES, INC. AND CITY OF FRUITLAND PARK, FLORIDA IN THE AMOUNT OF \$6,964.00 ANNUALLY AND ONE-TIME FEES IN THE AMOUNT OF \$36,821.00; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park has an existing with Tyler Technologies for its finance department software and desires to add an additional component that will allow for building permit processing and code enforcement and Maplink GIS Integration; and

WHEREAS, Tyler Technologies will provide project management, software and conversions for applications, inspections, standard master file and violations relating to permits and code enforcement; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida finds it serves a municipal purpose and will be a benefit to the City to obtain the services provided for in the Amendment

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The amendment between Tyler Technologies, Inc. and the City of Fruitland Park, Florida in the amount of \$6,964.00 annually and \$36,821.00 one-time fee, **a copy of which is attached hereto**, is approved.

Section 2. The commission authorizes the mayor to execute the amendment.

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 _____, 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



AMENDMENT

This amendment ("Amendment") is effective as of the date of signature of the last party to sign as indicated below ("Amendment Effective Date"), by and between Tyler Technologies, Inc. ("Tyler") and the City of Fruitland Park, Florida ("Client").

WHEREAS, Tyler and the Client are parties to an agreement dated December 12, 1997 ("Agreement"); and

WHEREAS, Tyler and Client desire to amend the terms of the Agreement as provided herein.

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, Tyler and the Client agree as follows:

1. The items set forth in the sales quotation attached as Exhibit 1 to this Amendment are hereby added to the Agreement as of 7/1/22 and, notwithstanding anything to the contrary in Exhibit 1, ending coterminous with the SaaS Term as defined in the Agreement. Payment of fees and costs for such items shall conform to the following terms:
2. As of 7/1/22, the annual SaaS fees payable under the Agreement shall be increased by \$6,964, with a quarterly payment due for the period 7/1/22-9/30/22. Subsequent annual SaaS Fees shall be invoiced in accord with the terms of the Agreement.
 - a. Unless otherwise provided herein, services identified at Exhibit 1 and added to the Agreement pursuant to this Amendment, along with applicable expenses, shall be invoiced as provided and/or incurred.
 - b. Fees for data conversion services shall be invoiced as follows: (i) 50% upon initial delivery of converted data, by conversion option, and (ii) 50% upon Client acceptance to load converted data into live environment, by conversion option.
3. This Amendment shall be governed by and construed in accordance with the terms and conditions of the Agreement.
4. Except as expressly indicated in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below.

Tyler Technologies, Inc.

City of Fruitland Park

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____





Exhibit 1
Amendment Investment Summary

The following Amendment Investment Summary details the software and services to be delivered by us to you under this Amendment. This Amendment Investment Summary is effective as of the Amendment Effective Date. Capitalized terms not otherwise defined will have the meaning assigned to such terms in the Agreement.

In the event a comment in the following sales quotation conflicts with a provision of this Amendment, the provision in this Amendment shall control.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK



Quoted By: Cindy Chase
 Date: 10/19/2021
 Quote Expiration: 12/31/2021
 Quote Name: Fruitland Park - Permits
 Quote Number: 2021-124023
 Quote Description: Permits and Maplink

Sales Quotation For

City of Fruitland Park
 506 W Berckman St
 Fruitland Park, FL 34731-3200
 Phone +1 (352) 360-6727

Description	# Years	Annual Fee	One Time Fees		
			Impl. Hours	Impl. Cost	Data Conversion
Revenue:					
Maplink GIS Integration	0.25	\$1,804.00	24	\$3,912.00	\$0.00
Permits & Code Enforcement	0.25	\$5,160.00	120	\$19,560.00	\$9,000.00
TOTAL:		\$6,964.00	144	\$23,472.00	\$9,000.00

Other Services

Description	Quantity	Unit Price	Unit Discount	Extended Price
Project Management	16	\$163.00	\$0.00	\$2,608.00
TOTAL:				\$2,608.00

Summary	One Time Fees	Recurring Fees
Total Tyler Software	\$0.00	\$0.00
Total SaaS	\$0.00	\$6,964.00
Total Tyler Services	\$35,080.00	\$0.00
Total 3rd Party Hardware, Software and Services	\$0.00	\$0.00
Summary Total	\$35,080.00	\$1,741.00

Summary	One Time Fees	Recurring Fees
Contract Total	\$36,821.00	

Detailed Breakdown of Conversions (included in Contract Total)

Description	Unit Price	Unit Discount	Extended Price
Permits and Code Enforcement - Applications	\$3,000.00	\$0.00	\$3,000.00
Permits and Code Enforcement - Inspections	\$2,000.00	\$0.00	\$2,000.00
Permits and Code Enforcement - Standard - Master Files	\$2,000.00	\$0.00	\$2,000.00
Permits and Code Enforcement - Violations	\$2,000.00	\$0.00	\$2,000.00
TOTAL:			\$9,000.00



Comments

Tyler's prices do not include applicable local, city or federal sales, use excise, personal property or other similar taxes or duties, which you are responsible for determining and remitting. Installations are completed remotely, but can be done onsite upon request at an additional cost.

In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf, and (ii) daily fees associated with the cancelled services if Tyler is unable to re-assign its personnel.

Implementation hours are scheduled and delivered in four (4) or eight (8) hour increments.

Tyler provides onsite training for a maximum of 12 people per class. In the event that more than 12 users wish to participate in a training class or more than one occurrence of a class is needed, Tyler will either provide additional days at then-current rates for training or Tyler will utilize a Train-the-Trainer approach whereby the client designated attendees of the initial training can thereafter train the remaining users.

Permits library includes: 1 Building permit, 1 Trades permit, 1 Zoning permit and 1 certificate of occupancy/completion.

Tyler's pricing is based on the scope of proposed products and services being obtained from Tyler. Should portions of the scope of products or services be removed by the Client, Tyler reserves the right to adjust prices for the remaining scope accordingly.

Project Management includes project planning, kickoff meeting, status calls, task monitoring, verification and transition to support.

The Munis SaaS fees are based on 5 concurrent users. Should the number of concurrent users be exceeded, Tyler reserves the right to re-negotiate the SaaS fees based upon any resulting changes in the pricing categories.

Development modifications, interfaces and services, where applicable, shall be invoiced to the client in the following manner: 50% of total upon authorized signature to proceed on program specifications and the remaining 50% of total upon delivery of modifications, interface and services.

SaaS fees start 7/1/22

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

ITEM TITLE: Second Reading and Public Hearing – Ordinance
2021-017 Municipal Firemen’s Pension Trust Fund
- Repeal

For the Meeting of: December 9, 2021

Submitted by: City Attorney

Date Submitted: November 9, 2021

Funds Required: No

Amount Required: N/A

Attachments: Proposed Ordinance and Ordinance 204

Item Description: Ordinance 2021-017 Municipal Firemen’s Pension
Trust Fund Repeal – the first reading was held on November 18, 2021.

Action to be Taken: Approve Ordinance 2021-017.

Staff’s Recommendation: Approval

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE 2021-017

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, REPEALING ORDINANCE 204-1974 WHICH IMPOSED A LEVY AND ADDITIONAL TAX UPON INSURANCE COMPANIES, CORPORATION OR OTHER INSURER ENGAGING IN THE BUSINESS OF PROPERTY INSURANCE THAT FUNDED THE MUNICIPAL FIREMEN'S PENSION TRUST FUND; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on December 10, 2020 the City Commission of the City of Fruitland Park entered into the Interlocal Agreement between Lake County, Florida and the City of Fruitland Park, Florida for Fire Protection and Rescue Services for the provision of fire protection and rescue services within the City of Fruitland Park, less the property located within The Villages of Fruitland Park; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida finds it is beneficial to the City of Fruitland Park and its residents and businesses to provide fire services through Lake County; and

WHEREAS, it is necessary to repeal ordinances relating to the funding of the firemen's pension trust fund.

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. Repeal. Ordinance 204-1974 adopted May 9, 1974 by the City Commission of the City of Fruitland Park is hereby repealed.

Section 3. Inclusion in Code. If Ordinance 204-1974 was codified, then 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 affect 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.

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

PASSED and ORDAINED this _____ day of _____, 2021, 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 November 18, 2021

Second Reading _____

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

The Villages
DAILY SUN

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

Before the undersigned authority personally appeared **Jade Cirolina-Lemus**, 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 #01035346 in the matter of **ORDINANCE 2021-017** was published in said newspaper in the issues of

NOVEMBER 21, 2021

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and

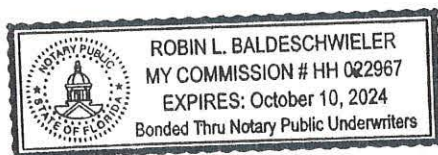
that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy 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 29 day of November 2021.


Robin L. Baldeschwieler, Notary

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



Attach Notice Here:

ORDINANCE 2021-017

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, REPEALING ORDINANCE 204-1974 WHICH IMPOSED A LEVY AND ADDITIONAL TAX UPON INSURANCE COMPANIES, CORPORATION OR OTHER INSURER ENGAGING IN THE BUSINESS OF PROPERTY INSURANCE THAT FUNDED THE MUNICIPAL FIREMEN'S PENSION TRUST FUND; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on November 18, 2021.)

This ordinance will be presented for public hearing by the City of Fruitland Park City Commission at its regular meeting to be held on Thursday, December 9, 2021 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 and hearings may be continued as determined by the commission from time to time to a time certain 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 at least forty-eight (48) hours prior to the hearing. (Florida Statutes 286.26). Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made by the city commission with respect to any matter

considered at such meeting or hearing, he or she 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 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)

1035346
November 21, 2021

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

ITEM TITLE: Second Reading and Quasi-Judicial Public Hearing Ordinance 2021-015 – Rezoning R-1 to PFD - New Elementary Replacement School – Petitioner: School Board of Lake County

For the Meeting of: December 9, 2021

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

Date Submitted: November 30, 2021

Funds Required: No.

Attachments: Quasi-Judicial Hearing Establishment Proposed ordinance 2021-015, location and existing school/new site maps, concept plan, staff report, development application, property appraiser record, justification letter, and newspaper affidavit.

Item Description: Ordinance 2021-015 rezoning approximately 19 + acres of property located at the northeast corner of the intersection of Olive Avenue and Urick Street from Residential Low Density (R-1) to Public Facilities District (PFD) zoning designation. Rezoning application was approved by the Planning and Zoning Board at its October 5, 2021 meeting. (The first reading was held on November 18, 2021)

Action to be Taken: Enact Ordinance 2021-015 to become effective immediately as provided by law.

Staff's Recommendation: Approval

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE 2021-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 18.99 ± ACRES OF PROPERTY LOCATED ON OLIVE AVENUE, FRUITLAND PARK, FLORIDA FROM CITY OF FRUITLAND PARK R-1 ZONING TO THE CITY OF FRUITLAND PARK DESIGNATION OF PUBLIC FACILITIES DISTRICT 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.

WHEREAS, a petition has been submitted by the School Board of Lake County as applicant/owner requesting that approximately 18.99 acres of real property located on Olive Avenue (the “Property”) be rezoned from City of Fruitland Park R-1 to City of Fruitland Park Public Facilities District; and

WHEREAS, the property has a future land use designation of Single-Family Low Density as shown on the City of Fruitland Park Comprehensive Plan Future Land Use Map; and

WHEREAS, the proposed zoning is consistent with the future land use designation; 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 18.99 ± acres of land located on Olive Avenue, Fruitland Park shall hereafter be designated as Public Facilities District, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described as:

LEGAL DESCRIPTION: See Exhibit A.

Parcel Alternate Key No. 1639743

and depicted in **Exhibit B.**

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

Section 3. That the zoning classification is consistent with the Comprehensive Plan of the City of Fruitland Park, Florida.

Section 4. 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 5. 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 6. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. This Ordinance shall become effective 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 _____, 2021.

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 November 18, 2021

Passed Second Reading _____

EXHIBIT A
Legal Description

Legal Description:

From the SW corner of the SE 1/4 of Section 9, Township 19 South, Range 24 East, Lake County, Florida, run North 0°35'00" East along the West line of the SE 1/4 a distance of 1029.53 feet, Thence South 89°28'30" East 26.51 feet to the SW corner of Lot 5, Block 43, Town of Fruitland Park, Florida, and the Point of Beginning of this Description; Run Thence North 0°18'20" East 885.44 feet, Thence South 89°51'30" East 941.02 feet, Thence South 30°16'00" East 298.55 feet, Thence North 89°51'30" West 125.60 feet, Thence South 0°30'10" West 634.41 feet, Thence North 89°28'30" West 965.10 feet to the POB, containing 20.00 acres. (ORB584, PG 477)

LESS

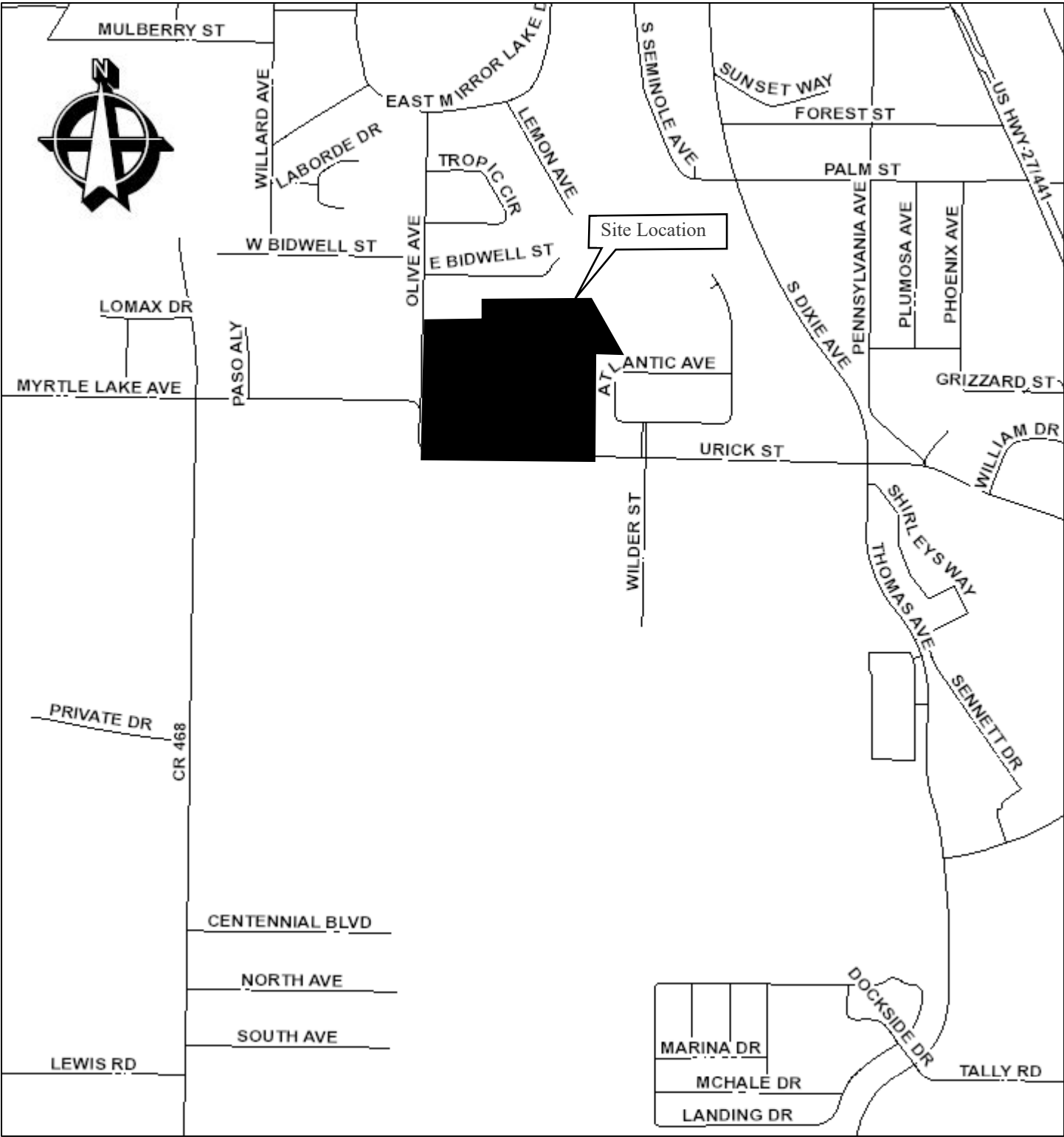
From the SW corner of the SE 1/4 of Section 9, Township 19 South, Range 24 East, Lake County, Florida, run North 0°35'00" East along the West line of the SE 1/4 a distance of 1029.53 feet, Thence South 89°28'30" East 26.51 feet to the SW corner of Lot 5, Block 43, Town of Fruitland Park, Florida, Thence North 0°18'20" East 760.44 feet to the POB of this Description; Run Thence North 0°18'20" East 125.00 feet, Thence South 89°51'30" East 250 feet along the South line of Mirror Lake Manor as recorded PB 23, PG 51 of Public Records of Lake County, Florida; Then South 00°08'30" West 125.00 feet, Thence North 89°51'30" West 250 feet to the POB. (ORB 5139, PG 2470)

ALSO LESS

Fruitland Park from SW corner of Lot 5, Block 43 run North 885.44 feet, South 89°51'30" East 250 feet to POB, Continue on same line 100 feet, South 00°08'30" West 125 feet, North 89°51'30" West 100 feet, North 00°08'30" East 125 feet to POB PB 3 PGS 8-9. (Lake County Property Appraiser)

EXHIBIT B
Map

Location Map





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

Development Application

Contact Information:

Owner Name: School Board of Lake County
 Address: 201 West Burleigh Boulevard, Tavares, FL 32778
 Phone: 352-253-6698 Email: _____

Applicant Name: School Board of Lake County
 Address: 201 West Burleigh Boulevard, Tavares, FL 32778
 Phone: 352-253-6694 Email: _____

Engineer Name: TBD
 Address: _____
 Phone: _____ Email: _____

Property and Project Information:

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

Property Address: TBD - vacant property

Parcel Number(s): 09-19-24-0400-043-00102 Section: 09 Township: 19 Range 24

Area of Property: Approx. 19 acres Nearest Intersection: NEC Olive Avenue and Urick Street

Existing Zoning: R1 - residential single family low Existing Future Land Use Designation: SFLD-single family low density

Proposed Zoning: Public Facilities District (PFD) Proposed Future Land Use Designation: N/A

The property is presently used for: vacant

The property is proposed to be used for: Educational Institution use - Public Elementary School

Do you currently have City Utilities? no

Application Type:

<input type="checkbox"/> Annexation	<input type="checkbox"/> Comp Plan Amendment	<input checked="" type="checkbox"/> Rezoning	<input 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: rezone the property from R1 to Public Facilities District (PFD) for the purpose of constructing a public elementary school

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: Kelly C. Randall

Signature: Kelly C. Randall Date: 8/31/21

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.

Development Application Checklist

The Following are Required for ALL Development Applications:

- Legal Description (Word file req'd) Current Deed Aerial Photo
 Property Appraiser Information Electronic Copy of Application Location Map

Pre-application conferences are strongly encouraged. Submit TWO CDs with ALL documents in pdf; those that are generated as CAD files should be submitted in pdf and dwg formats. Legal Descriptions should also come with a MS Word file of the legal description. Most maps are accessible through www.lakecountyfl.gov/maps/. Note: All maps are required to depict adjacent properties at a minimum.

Failure to provide adequate maps may delay the application process.

Other Required Analyses and Maps:

Small Scale Comprehensive Plan Amendment Applications:

- Justification for Amendment Environmental Constraints Map Requested FLU Map

Large Scale Comprehensive Plan Amendment Applications:

Maps: Environmental Constraints Soils Requested FLUM Designation Requested Zoning Map Designation

Analyses: Environmental Assessment Utility Availability Analysis Urban Sprawl Analysis School Impact Analysis
 Traffic Impact Analysis Consistency with the Comp Plan Florida Master Site File sign-off or Archaeological Survey

Rezoning Applications: Requested Zoning Map Justification for Rezoning

Planned Development Applications:

Maps/Plans: Conceptual Plan as Described in LDRs Chapter 154, Section 154.030,10,G Environmental Constraints

Analyses: Environmental Assessment Traffic Impact Analysis Preliminary Concurrency Analysis

Variance Applications: Justification for Variance

Special Exception Use Applications:

- Justification for Special Exception Use
 Site Sketch List of Special Requirements as Described in LDRs, Chapter 155

Conditional Use Permit Applications:

- Proposed List of Conditions and Safeguards
 Site Plan as Described in LDRs, Chapter 155 Written Statement as Described in LDRs, Chapter 155

Subdivision Applications:

(Preliminary Plan, Improvement Plan and Final Plat)

- As Described in LDRs, Chapter 157

Minor Subdivision Applications:

- As Described in LDRs, Chapter 157

Site Plan Applications:

- As Described in LDRs, Chapter 160

OWNER'S AFFIDAVIT

STATE OF FLORIDA


COUNTY OF LAKE

Before me the undersigned authority, personally appeared Diane S. Kornegay, Lake County

Schools Superintendent, who being by me first duly sworn on oath deposes and says:

- 1) That he/she is the fee-simple owner of the property legally described on attached page of this application.
- 2) That he/she desires a rezoning to allow the construction of a
a public elementary school. (Fruitland Park Elementary)

- 3) That he/she has appointed Kelly Randall, Growth Planning Supervisor to act as agent on his/her behalf to accomplish the above. The owner is required to complete the Applicant's Affidavit of this application if no agent is appointed to act on his/her behalf.

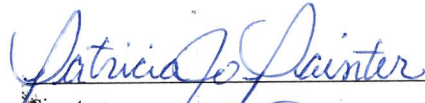


 Affiant (Owner's Signature)

State of Florida
 County of Lake

The Foregoing instrument was acknowledged before me this 3rd day of August, 2021
 by Diane Kornegay who is personally known to me or has produced
 _____ as identification and who did or did not take an oath
 (Notary Seal)

Notary Public - State of Florida
 Commission No GG 954883
 My Commission Expires 6/4/2024



 Signature
PATRICIA JO PAINTER

 Printed Name



APPLICANT AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LAKE

Before me the undersigned authority, personally appeared Kelly Randall, Lake County

Supervisor of Growth
Schools Superintendent Planning, who being by me first duly sworn on oath deposes and says:

- 1) That he/she affirms and certifies that he/she understands and will comply with all ordinances, regulations, and provisions of the City of Fruitland Park, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further that this application and attachments shall become part of the Official Records of the City of Fruitland Park, Florida, and are not returnable.
- 2) That the submittal requirements for the application have been completed and attached hereto as part of that application.
- 3) That he/she desires a rezoning to allow the construction of a public elementary school (Fruitland Park Elementary)

Kelly C. Randall
Affiant (Applicant's Signature)

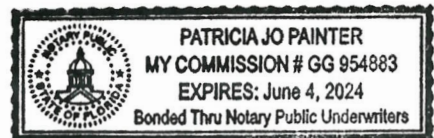
State of Florida
County of Lake

The Foregoing instrument was acknowledged before me this 3rd day of August, 2021, by Kelly Randall who is personally known to me or has produced _____ as identification and who did or did not take an oath

(Notary Seal)

Notary Public - State of Florida
Commission No GG954883
My Commission Expires 6/4/2024

Patricia Jo Painter
Signature
PATRICIA JO PAINTER
Printed Name



PROPERTY RECORD CARD

General Information

Name:	SCHOOL BOARD OF LAKE COUNTY	Alternate Key:	1639743
Mailing Address:	201 W BURLEIGH BLVD TAVARES, FL 32778 Update Mailing Address	Parcel Number: ⓘ	09-19-24-0400-043-00102
		Millage Group and City:	000F (FRUITLAND PARK)
		2020 Total Certified Millage Rate:	18.1489
		Trash/Recycling/Water/Info:	My Public Services Map ⓘ
Property Location:	OLIVE AVE FRUITLAND PARK FL 34731 Update Property Location ⓘ	Property Name:	-- Submit Property Name ⓘ
		School Information:	School Locator & Bus Stop Map ⓘ School Boundary Maps ⓘ
Property Description:	FRUITLAND PARK BEG AT SW COR LOT 5 BLK 43, RUN N 885.44 FT, E 941.02 FT, S 30-16-0 E 298.55 FT, W 125.6 FT, S 634.41 FT, W 965.1 FT TO POB, BEING PART OF LOTS 1 THRU 4 INCL, LOTS 5, 6, 7--LESS FROM SW COR LOT 5 BLK 43 RUN N 0-18-20 E 760.44 FT FOR POB, CONT N 0-18-20 E 125 FT, S 89-51-30 E 350 FT, S 0-08-30 W 125 FT, N 89-51-30 W 350 FT TO POB--PB 3 PG 8 ORB 584 PG 477		
<small>NOTE: This property description is a condensed/abbreviated version of the original description as recorded on deeds or other legal instruments in the public records of the Lake County Clerk of Court. It may not include the Public Land Survey System's Section, Township, Range information or the county in which the property is located. It is intended to represent the land boundary only and does not include easements or other interests of record. This description should not be used for purposes of conveying property title. The Property Appraiser assumes no responsibility for the consequences of inappropriate uses or interpretations of the property description.</small>			

Land Data

Line	Land Use	Frontage	Depth	Notes	No. Units	Type	Class	Value	Land Value
1	PUBLIC SCHOOL (8300)	0	0		18.99	AC		\$0.00	\$142,425.00

[Click here for Zoning Info](#) ⓘ [FEMA Flood Map](#)

Miscellaneous Improvements

There is no improvement information to display.

Sales History

NOTE: This section is not intended to be a complete chain of title. Additional official book/page numbers may be listed in the property description above and/or recorded and indexed with the Clerk of Court. [Follow this link to search all documents by owner's name.](#)

Book/Page	Sale Date	Instrument	Qualified/Unqualified	Vacant/Improved	Sale Price
584 / 477	1/1/1975	Misc Deed/Document	Qualified	Vacant	\$60,000.00

[Click here to search for mortgages, liens, and other legal documents.](#) ⓘ

Values and Estimated Ad Valorem Taxes ⓘ

Values shown below are 2021 CERTIFIED VALUES (July 1 Preliminary Tax Roll Certification).
The Market Value listed below is not intended to represent the anticipated selling price of the property and should not be relied upon by any individual or entity as a determination of current market value.

Tax Authority	Market Value	Assessed Value	Taxable Value	Millage	Estimated Taxes
LAKE COUNTY BCC GENERAL	\$142,425	\$142,425	\$0	5.05290	\$0.00

**FRUITLAND PARK ELEMENTARY
REPLACEMENT/MODERNIZATION
JUSTIFICATION STATEMENT FOR REZONING**



I. Background Information

The subject Property is located at the northeast corner of Olive Avenue and Urick Street and identified by alternate key 1639743. The Property is currently zoned Residential Low Density (R1) and the Future Land Use Designation is Single Family Low Density (SFLD). The Property is approximately 19 acres and currently undeveloped.

The School District is replacing the existing Fruitland Park Elementary school on this subject property. The existing elementary school is now over 50 years old, having opened in 1965, and has reached the end of its useful lifecycle. It has subsequently been scheduled for a modernized replacement. The replacement school is included in the District's Five Year Capital Plan and scheduled to open in 2024.

A replacement school is designed to address the school facility as an integrated system and considers issues such as instructional program delivery, student circulation, relationship of core facilities, security concerns, and site access. The new Fruitland Park Elementary replacement school will provide a safe, secure and updated modern school facility for the students.

II. Proposed Changes

The request is an official zoning map amendment from R-1 (Residential low density) to PFD (Public Facilities District). The current R-1 zoning does not permit educational institution uses. The rezoning to the PFD zoning district would permit educational institution uses. Therefore, the rezoning to PFD is required in order to allow for the construction of a public elementary school.

III. Consistency with surrounding land uses

The proposed changes are compatible with the adjacent land use. The property is surrounded by residential, institutional and agricultural zoned properties and land uses. See table below:

Adjacent Property	FLU Designation	Zoning District	Land Use
East	SFLD/SFMD	PUD	Residential Development (Mirror Lake Village Phs 1 & 2)
North	SFLD	PFD/R-1	City Parcels and Residential Development (Mirror Lake Manor)
West	SFLD/INST/AG	PFD/R-1	Vacant parcels, Church, Residential and Agricultural uses
South	MFHD	PUD/R-3	Residential Uses (Holloway PUD and Fruitland Acre Apartments)

The proposed rezoning change is consistent with the Comprehensive Plan.

The requested rezoning and the proposed development of the property are consistent with the Goals, Policies, and Objectives of the Comprehensive Plan.

The existing future land use designation permits or supports public facilities pursuant to Policy 1-5.1, if criteria are met.

Policy 1-5.1: Public Facilities. *Necessary Public Facilities shall be permitted as Institutional Land Uses within any Future Land Use Designation if such facility satisfies the following criteria:*

1) *Serves the majority of the population.*

The elementary school will serve the student population of Fruitland Park. The existing students are anticipated to attend the new replacement school. The proposed school will also serve the elementary students estimated to be generated by recently approved new development within the current attendance boundary.

2) *Located in close proximity to the main user group.*

The main user group or student population is located within the City and in close proximity to the proposed public school site. The new school site is located approximately a mile from the existing school. The students currently attending the existing Fruitland Park Elementary are expected to attend the new school.

Additionally, the recently approved Holloway Planned Unit Development (PUD) is located directly south of the proposed school site, across Urick Street. The Holloway PUD is estimated to generate 110 elementary students. These students will be assigned to attend the new school in the future.

Also, the Tara Oaks residential development located further south is under construction. The Tara Oaks development was approved for 1,168 dwelling units. The estimated students to be generated by this residential development is 183.

Both of these residential developments are located in the Fruitland Park Elementary attendance boundary. The students generated by the new residential developments are assigned to Fruitland Park Elementary.

3) *Buffers will be provided along the perimeter property boundary and the width of such buffers shall be determined by the adjacent land used and the proposed land use.*

The school district intends to comply, to the extent possible, in providing the required perimeter buffers.

- 4) *Landscaping will be provided based on the adjacent land use and the proposed land use.*

The intent is to preserve existing trees and vegetation to the extent possible. The district will utilize design elements of CPTED for a secure site perimeter. These CPTED elements will include, but not be limited to, fencing, gates and landscaping.

The City's Land Development Code does provide a credit for utilizing existing vegetation/trees on site. Per Section 164, Landscape Requirements: *The applicant is encouraged to utilize existing vegetation within the property for Buffer landscaping in lieu of planting materials. However, the existing vegetation on-site must be an upland community as defined in the Appendix to the City of Fruitland Park Code.*

The approved public facility use will comply, to the extent possible, with the landscaping and buffering requirements and access management requirements. The District intends to provide the perimeter buffers and preserve the existing natural vegetation as much as possible.

IV. PFD Zoning Criteria

Pursuant to the City's Code, the purpose of the PFD district is to provide for the development of public facilities. *Public facilities/services shall include but not be limited to, public and private utilities, governmental, religious, and educational land uses.*

The proposed public school is a public facility use and is permitted in the PFD zoning district.

PFD zoning district locational criteria:

- i) The approved use shall front on an arterial or collector roadway.

The subject property has frontage on Olive Avenue, which is a local road, and Urick Street, which is a County Road. The main access is proposed on Olive Avenue, in order to provide sufficient stacking on site. The bus loop is a separate access on Olive Avenue, north of the main access. The existing roadway infrastructure is in place to serve the proposed public school.

- ii) Approved uses shall comply with appropriate landscaping and buffering requirements and access management requirements.

The school district intends to comply with the buffering and access management requirements. The district anticipates preserving, to the extent possible, existing vegetation/trees.

- iii) The site must be located in proximity to the main user group.

The subject property that will support the new replacement school is located within approximately one mile of the existing Fruitland Park Elementary. The students that currently attend Fruitland Park are anticipated to also attend the new Fruitland Park Elementary.

Two recently approved (large) residential developments are located within close proximity to the new school location. Holloway PUD is located directly south across Urick Street. This PUD consists of 700 dwelling units and is estimated to generate 110 elementary students. The Tara Oaks residential development, located further south and approved for 1,168 dwelling units, is estimated to generate 183 elementary students. The Tara Oaks development has started site development. Both of these residential developments are located in the Fruitland Park Elementary attendance boundary.

- iv) The approved use must serve the majority of the population.

The new school will serve the student population within the City of Fruitland Park and the surrounding area. As stated previously, the students currently attending the existing school are expected to attend the new school. Additionally, there is new residential development approved just south of the new school site. The combined estimated elementary students generated from these recently approved developments is 293. The new developments are located within the Fruitland Park Elementary attendance boundary. The school district does not plan to adjust this attendance boundary for the new school.

V. Conclusion

The rezoning and the proposed development of the property are consistent with the Goals, Policies, and Objectives of the Comprehensive Plan. Quality schools are key elements of neighborhoods and communities. This school will be a benefit to the Fruitland Park community for many years to come.

Aerial Map



August 26, 2021

1:7,500





pointLayer

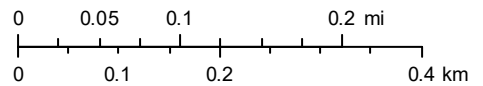
 Override 1

polygonLayer

 Override 1

Street Names

-  Local Streets
-  Property Name
-  County Boundary
-  Water Bodies



Lake County Property Appraiser
Lake BCC

City of Fruitland Park
Aerial Map (Existing School/New Site) Fruitland Park Elementary



Conceptual Site Plan

Site Plan Information

Site Size: 18.96 Acres

Parking Spaces: 200

Car Stacking:

110 cars single stacked
205 cars double stacked

School Information

Two-Story Elementary

- Administration
- Media
- Multi-Purpose/Dining/Kitchen
- Academics/Classrooms
- ESE Programs
- Art & Music Classrooms
- Flex & Collaborative Learning Spaces



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

REZONING AND SITE PLAN

Owner: School Board of Lake County

Applicant: School Board of Lake County

General Location: Northeast corner of the intersection of Urick Street and Olive Avenue

Number of Acres: 19 Acres +/-

Existing Zoning: R-1 (Single Family Low Density Residential)

Proposed Zoning: Public Facilities District (PFD)

Existing Land Use: Single Family Low Density (SFLD)

Date: October 18, 2021

Description of Project

The request is to allow construction of a replacement elementary school and accessory uses on approximately 19 acres located on the northeast corner of the intersection of Urick Street and Olive Avenue. A rezoning application with an associated concept plan were filed by the property owner and applicant Lake County School Board. The applicant requests that the approximately 19 acres be rezoned from R-1, Single Family Low Density Residential to PFD, Public Facilities District to allow construction of a public elementary school to replace the existing elementary school.

The surrounding uses are provided in Table 1. The surrounding area is primarily residential in nature, with planned and under construction communities coming online which will contribute to an increase in elementary aged students.

	Surrounding Zoning	Surrounding Land Use
North	R-1	SFLD
South	R-3	MFHD
East	PUD	SFLD/SFMD
West	PFD/R1	INST/SFLD

Table 1. Surrounding Property Uses

Assessment

Comprehensive Plan Consistency

Policy 1-5.1 permits necessary public facilities as institutional land uses within any Future Land Use category provided that the facility serves a majority of the population; is located close to the main user group; and provides buffers as well as landscaping to protect and screen both existing and planned adjacent uses. Educational land uses are included in the definition of public facilities. Policy 1-5-3 further provides that schools built and operated by the Lake County School Board are allowed throughout the City except in areas designated for Industrial or Conservation.

The subject site is of sufficient size to accommodate the elementary school and customary accessory uses. It will serve the elementary aged population of Fruitland Park and surrounding areas of Lake County, is located in reasonable proximity of all areas of the City, and the conceptual site plan shows buffering and landscaping. The buffers and landscaping are further reviewed below. The subject property is not located an industrial or conservation area. The Single Family Low Density Future Land Use designation permits the construction of the school as an allowed use consistent with Table 1.1, Policy 1-5.1 and 1-5.3. The applicant has provided the required materials to support the rezoning request from R-1 to PFD district.

Rezoning

LDC Section 154.030.d.1, R-1 single family low density zoning district does not permit construction of schools. The requested rezoning is necessary to allow for the construction of the new school. Pursuant to LDC Section 154.030 d.11, The PFD, public facilities zoning district permits educational institutions (i.e., schools). The PFD district does have locational criteria that must be met to permit development of any public facility which are outline below.

- i) The approved use shall front on an arterial or collector roadway. Sewage treatment facilities, water supply operations, electric power substations and operation centers and cemeteries are exempt from this requirement.

The school does not front on an arterial or collector roadway. However, the school is a unique public facility. Schools are intended to serve the adjacent neighborhoods as delineated in Policy 1-5.1 and 1-5.3. The new school's location is acceptable as existing and future growth in the surrounding area will generate a need for a better equipped and modern elementary school. Two recently approved residential development Hollway PUD and Tara Oaks have or will shortly begin construction. A projected 293 new student are expected at full building out of the communities.

- ii) Approved uses shall comply with appropriate landscaping and buffering requirements and access management requirements.
The applicant intends to provide buffering and landscaping for the new school. Staff has requested additional details be added to the concept plan.
- iii) The site must be located in close proximity to the main user group.
The new school is in proximity to an area experiencing growth and 293 students are expected from the two newly approved residential communities in the area.
- iv) The approved use must serve the majority of the population.
The school will serve the entire school aged population of the City of Fruitland Park and the surrounding areas.

The applicant has demonstrated compliance with the locational criteria for the Public Facilities Zoning District.

Pursuant to LDC Section 152.040, subparagraph “e” the following review criteria must be considered by the Planning and Zoning Board and City Commission when reviewing an amendment.

- 1) Consistency with the Comprehensive Plan, or in the case of a Plan amendment, consistency with the remainder of the Plan and its goal, objectives and policies.
The applicant has provided competent evidence to support consistency with the goals, objectives, and policies of the Comprehensive Plan. The Single Family Low Density future land use permits the construction of public facilities. Policy 1-5.1 defines educational land uses as public facilities and allows public facilities as institutional uses in any future land use category. Policy 1-5.3 permits schools owned and operated by Lake County School Board in all areas of the City with the exception of Industrial and Conservation Areas. The subject property is not in an industrial or conservation area and as such construction of a new elementary school is allowed on the subject property consistent with the existing future land use and Comprehensive Plan.

Policy 1-5.3 further describes the conditions schools must meet:

- 1) Facilities and services needed to meet the impacts of the school facility are available or will be provided by the School Board in accordance with the Comprehensive Plan Elements and CIE.
Central water and sewer facilities and capacity are available in the area to serve the new school. The applicant is proposing connection to central water and sewer consistent with this standard.
- 2) Transportation facilities needed to serve access of buses are designed and constructed in a manner that can sustain the substantial impact of the school without the requirement of additional upgrades at the expense of the City.

TPD's traffic analysis identified two safety related improvements that will facilitate traffic to and around the new elementary site. See traffic analysis section for additional details. Applicant has demonstrated consistency with this standard.

- 3) The scale and intensity of the host land use will be respected.
The concept plan demonstrates the applicant's understanding of the subject property and the surrounding area. The applicant is providing a large amount of open space and proposing buffering with the intention to maintain existing vegetation to the greatest extent possible. The design will allow for the school to blend with the existing neighborhood. The subject property will be fenced to protect students. The rezoning request is consistent with this standard.

- 4) The City will be allowed to contribute to the review of the site design for new facilities, in order to avoid conflict with surrounding properties and existing City land development regulations.
The applicant has provided a concept plan with reasonable level of detail which was reviewed against the City's LDRS. Impacts on surrounding properties were considered in placement of the school and supporting infrastructure. Staff has provided some comments of additional items to include on the concept plan. The site design is generally consistent with the standard.

- 5) The School Board is expected to accommodate City concerns over the design of access and impact of traffic on residential neighborhoods and will be encouraged to provide bicycle and pedestrian access at multiple points on campus.
Staff has asked for additional details on bike parking. Vehicular traffic is sufficiently addressed by the traffic analysis. The application is consistent with this standard.

- 6) Non-School facilities will be sited in land use categories allowing the specific activity of the intended use.
Non-school facilities are not proposed with the rezoning application, so the request is consistent with this standard.

- 7) In recognition that the siting of a new school often draws additional development into the area, the School Board will choose new sites in a manner that compliments the City's growth plans, maximizes the use of existing facilities and discourages urban sprawl.
The applicant has complied with this standard. The school is proposed in an area experiencing growth. The roadway system is adequate to accommodate the new school with two safety improvements recommended

by the traffic study. Central water and sewer are available to serve the new school. The rezoning request is consistent with the City's growth plans.

- 2) Consistency with applicable sections of the Land Development Code.
Staff is requesting some additional information be added to the concept plan. The proposal is generally consistent with the Land Development Code.
- 3) Additionally, as to rezoning amendments:
 - A) Whether justified by changed or changing conditions.
The rezoning request is justified by changing conditions in the county, city and in elementary education. The County and City have seen a rapid increase in population over the last ten years. With new residents, come more children. New home construction in the area is steadily increasing, providing the City with an increasing tax base and increasing need for more services.

Technologically advances have progressed exponentially in the last 50 years since the current elementary school was built. The existing elementary school has come to the end of the building's life cycle. Changes in technology and educational theory have made the current facility obsolete. The applicant is seeking the rezoning to build a modern elementary school to replace the obsolete facility. The new school will allow the applicant to provide an improved educational experience for the elementary aged students residing in the City and surrounding areas.
 - B) Whether adequate sites already exist for the proposed district uses.
The number of properties currently zoned public facilities is limited within the City. Generally, a rezoning is required to accommodate a public school or a new public facility. The subject property is of sufficient size to accommodate the school and the applicant has demonstrated consistency with the comprehensive plan and general compliance with the land development code.
 - C) Whether specific requirements of the Land Development Code are adequate to insure compatibility with adjoining properties as required by the Comprehensive Plan.
Elementary schools are generally deemed a compatible use within a residential neighborhood. Neighborhood design theory has espoused the central location of schools within a neighborhood, since the early 1900's. The main build block of a neighborhood, "the neighborhood unit", focused the neighborhood around a school. The school is deemed

an essential element of community centric neighborhood design. The intent is to provide a school in short walking distance of a child’s home.

The applicant has provided sufficient evidence to deem the school consistent with the Comprehensive Plan and generally compliant with the Land Development Code. Buffers and landscaping are proposed to assist the new school with blending into the neighborhood. The traffic study concluded that with the traffic from the new school the existing roads will continue to operate at an adequate level of service with limited safety improvement required.

The proposed rezoning is consistent with the review criteria of LDC Section 152.040, subparagraph “e”. Staff is supportive of the request rezoning.

Traffic analysis

Access to the site is provided from both Urick Street and Olive Avenue. The traffic analysis provided by TPD, Traffic Planning and Design, Inc. concludes that the proposed school will not adversely impact adjacent roadways or intersections. With the addition of the traffic from the school, TPD determined that the roadways will continue to operate within the adopted level of service standards. Table 1 summarizes the results of the projected traffic on the adjacent roadways.

Roadway Segment	Lanes	Capacity	Direction	Existing Volume	Existing LOS	Project Volume	Total Volume	Projected LOS
CR 466A to Pine Ridge Dairy Rd	2	530	NB/EB	188	C	13	201	C
			SB/WB	189	C	11	200	C
Pine Ridge Dairy Rd to Griffin Rd	2	680	NB/EB	299	C	41	340	D
			SB/WB	315	C	50	365	D
Griffin Rd to SR 44	2	620	NB/EB	430	C	37	467	C
			SB/WB	353	C	45	398	C
CR 466A to US27/441	2	530	NB/EB	303	D	50	353	D
			SB/WB	265	C	41	306	D

Table 1. Projected Roadway Capacity Analysis

The bus loop and parent drop off is accessed from Olive Street. The bus loop is located in the northwest corner of the property with a separate entrance from Olive Avenue. The parent drop off is access from Olive Avenue via the main access point with traffic traveling west and south of the main school. Segregation of bus and passenger vehicle traffic will facilitate more orderly drop off and pick up at the new facility. The concept plan does not provide enough detail to determine if access spacing between proposed driveways meet County standards. Further detail will be provided at the time of site plan and may result in shifting of the access points.

TPD completed an intersection analysis. The results concluded that intersections and site access driveways are projected to operate at a satisfactory level of service with the addition of the projected traffic. The intersection of Olive Avenue and Urick Street will serve the school's main access point and was analyzed as an all way stop in lieu of the existing two way stop on the southbound approach on Olive Avenue.

Two transportation improvements are recommended by the TPD traffic analysis; (1) an exclusive north bound turn lane at the intersection Urick Street and Olive Avenue to serve the main entrance and (2) site access to have an all way stop control in lieu of the existing two-way stop control on the southbound approach on Olive Street. The proposed improvements are safety related and are consistent with Policy 1-5. that

“Transportation facilities needed to serve access of buses are designed and constructed in a manner that can sustain the substantial impact of the school without the requirement of additional upgrades at the expense of the City.”

Environmental analysis

An environmental analysis dated May 19, 2021 by Austin Environmental Consultants, Inc was submitted which evaluated the potential impacts to environmentally sensitive lands and listed species. The site does not contain any jurisdictional wetlands. Upland communities present on the property include open lands, upland hardwood forests, and hardwood-conifer mixed.

No known eagle nests will be impacted by the development. A pedestrian survey found active and inactive gopher tortoise burrows within the property. The environmental assessment advises prior to land development activities a 100% survey of all gopher tortoise habitat be performed and if necessary, permits secured through FFWCC.

The property falls within the USFWS Consultation Area for Sand Skinks. An additional Sand Skink Survey was provided dated May 12, 2021, evaluating the potential presence of Sand Skinks. No evidence of sand skinks was observed during the Sand Skink survey, survey concludes the subject property does not contain occupied sand skink habitat.

Conceptual plan review

Parking

The applicant has provided 200 parking spaces on the concept plan. Staff cannot determine if that is sufficient for the proposed 1000 student elementary school. LDC Section 162.040 states parking shall be provided based on 1 space per staff member and 1 space per 3 seats in largest assembly area. Staff requests additional details on the seating capacity of the largest assembly area and number of staff members for the elementary school.

The concept plan does not show the complete parking layout so Staff cannot fully evaluate if the parking lot or parking lot landscaping designs are consistent with the LDC. Additional detail on parking lot layout, size of proposed parking spaces, width of

access aisles would be required to fully analyze, if the applicant complies with Chapter 162.

A separate bus loop is provided in the northwest portion of the property. Car stacking for parent drop off and pick up is provided. If single stacking is utilized up to 110 vehicles can stack in the drop off area while if double stacking is utilized up to 205 vehicles can be accommodated. Without additional details on parking space size and width of the access aisle, Staff cannot completely evaluate if car stack is sufficient.

A future parking area is delineated on the concept plan. Access to this parking area is from the bus loop.

Landscaping Review

Buffering and landscaping are provided. No details on buffer widths or design are provided. No details on tree preservation or mitigation were provided. Additional details are needed for staff to determine if the concept plan meets the intent of Chapter 164.

Review Comments:

This is a courtesy review. As such no items are required, however the items and response listed below are suggestions.

- Please add the percentage of open space and impervious surface ratio to the concept plan. ***Generally Open space and ISR are provided as part of site plan review. ISR has been added to the site plan.***
- Please provide the seating capacity of the largest assembly area and the number of projected staff members so staff can determine that sufficient parking is provided. ***Acknowledge receipt of the additional information. Parking is sufficient.***
- Please provide bike parking. Elementary schools generate a need for bike parking. LDC Section 162.040 has a guideline of ½ a bike parking space for each required parking space. ***Bike parking is provided. However, it is acknowledged that bike parking may be augmented by areas to secure scooters and skateboards. Staff has no concerns with this as the bike parking is intended to promote alternative modes of transportation.***
- Staff recommends providing additional details on parking lot design. Staff would like to verify that the parking and parent drop off can be accommodated as shown on the concept plan. ***Acknowledged. Additional details to be added to site plan.***
- City is supportive of the buffers included on the concept plan and that existing vegetation will be maintained to the greatest extent possible. Please label the concept plan with the proposed buffer widths. ***Acknowledged. Additional details to be added to site plan.***
- Staff cannot evaluate from the submitted materials, the impact of construction on existing trees. Please be advised that Chapter 164 provides the City's guidance for tree removal and mitigation. ***Acknowledged.***

- Please revise the traffic study to replace “Olive Street” with “Olive Avenue”. The document references the roadway by both names. The roadway name is “Olive Avenue”. ***Acknowledge correction.***

Recommendation

- **Provide comments to School Board for future submittal acknowledging materials provided on October 1, 2021**

The Villages
DAILY SUN

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

Before the undersigned authority personally appeared **Joseph Szabo**, 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 # **1031490** in the matter of

NOTICE OF PUBLIC HEARINGS
 was published in said newspaper in the issues of

NOVEMBER 4, 2021

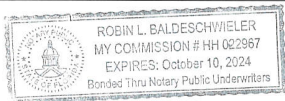
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake,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

Joseph Szabo
 (Signature Of Affiant)

Sworn to and subscribed before me this 4
 day of November 2021.

Robin L. Baldeschwieler
 Robin L. Baldeschwieler, Notary

Personally Known or
 Production Identification _____
 Type of Identification Produced _____



Attac

NOTICE OF PUBLIC HEARINGS

ORDINANCE 2021-015

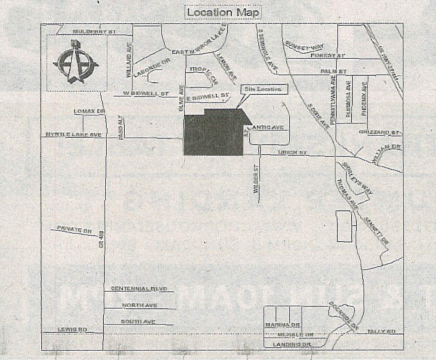
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 18.99 ± ACRES OF PROPERTY LOCATED ON OLIVE AVENUE, FRUITLAND PARK, FLORIDA FROM CITY OF FRUITLAND PARK R-1 ZONING TO THE CITY OF FRUITLAND PARK DESIGNATION OF PUBLIC FACILITIES DISTRICT WITHIN THE CITY LIMITS OF 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 proposed Ordinance will be considered at the following public meetings:

- Fruitland Park City Commission Meeting on November 18, 2021 at 6:00 p.m.
- Fruitland Park City Commission Meeting on December 9, 2021 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 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.



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Have a passion
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We have other
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 Precision Optics
 of savings.

AT LAKE EYE
 BOARD-CERTIFIED OPHTHALMOLOGISTS
 Scott R. Wehrly, MD • Scott C. Holman, MD • Jose Alfredo Vazquez, MD • Adria Young, OD • Ale
Lake Eye
 352-775-1

The Villages DAILY SUN

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

Before the undersigned authority personally appeared **Joseph Szabo**, 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 #1029588 in the matter of

NOTICE OF PUBLIC HEARINGS
was published in said newspaper in the issues of

NOVEMBER 22, 2021

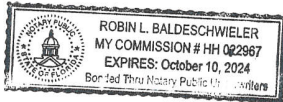
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(Signature Of Affiant)

Sworn to and subscribed before me this 29th
day of November 2021.


Robin L. Baldeschwieler, Notary

Personally Known or
Production Identification _____
Type of Identification Produced _____



Attach

YOUR HELP!

**Vehicle that you
left off your hands?**

Which is in need of vehicle program is one of our main will take most Cars, Trucks, of Carts & more. Running or We will handle the pick-up.

800-741-2001

Pick-up. Thank you!

At the Ranch gets much-needed funding

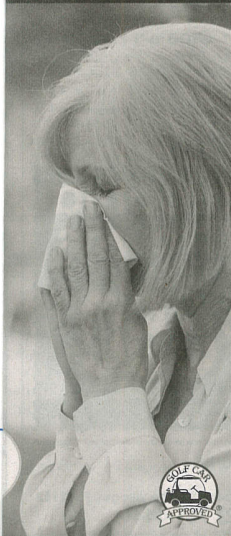


For information on our program, visit

RBR.org

380 Boys Ranch Rd.
Palatka, FL 32177

**& NEXT DAY
ITS AVAILABLE**



800.1 352-750-1999
800.1 352-259-0151
RBR.com

NOTICE OF PUBLIC HEARINGS

ORDINANCE 2021-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 18.99 ± ACRES OF PROPERTY LOCATED ON OLIVE AVENUE, FRUITLAND PARK, FLORIDA FROM CITY OF FRUITLAND PARK R-1 ZONING TO THE CITY OF FRUITLAND PARK DESIGNATION OF PUBLIC FACILITIES DISTRICT 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.

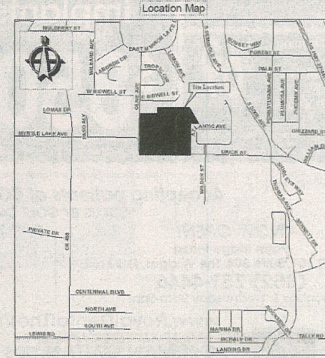
The proposed Ordinance will be considered at the following public meetings:

Fruitland Park City Commission Meeting 1st Reading on
November 18, 2021 at 6:00 p.m.

Fruitland Park City Commission Meeting 2nd Reading
on December 9, 2021 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 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.

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

ITEM TITLE: CITY MANAGER'S REPORT
For the Meeting of: December 9, 2021
Submitted by: City Manager
Date Submitted: December 1, 2021
Funds Required: None
Attachments: Yes, GatorSkтч Renderings

Item Description: City Manager's Report

- i. Economic Development Status Update
- ii. CUP – SJRWMD Status Update Report
- iii. Lake County CDBG Grant Program Status Update Report
- iv. Public Works Building - GatorSkтч Corporation Status Update Report

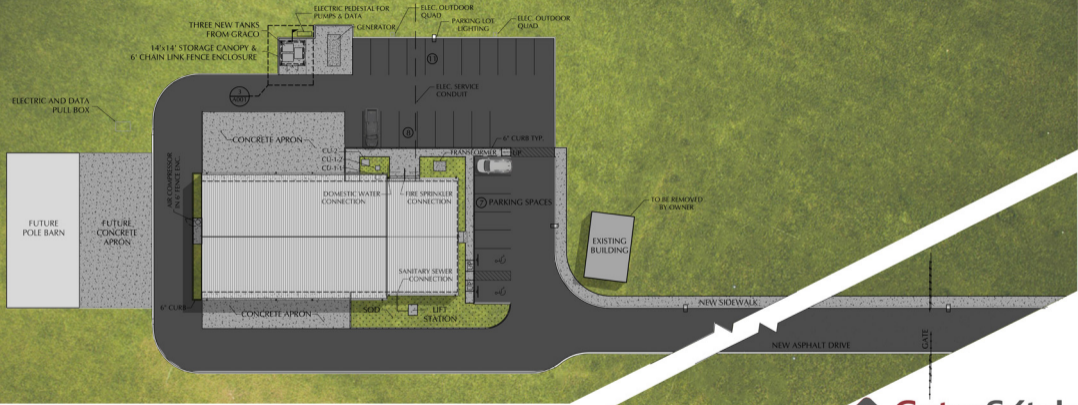
Action to be Taken: None

Staff's Recommendation: N/A

Additional Comments: None

City Manager Review: Yes

Mayor Authorization: Yes



1
A001

ARCHITECTURAL SITE PLAN

SCALE: 1" = 20'-0"





1 WEST BLDG ELEVATION
SCALE: 3/16" = 1'-0"



2 EAST BLDG ELEVATION
SCALE: 3/16" = 1'-0"



3 SOUTH BLDG ELEVATION
SCALE: 3/16" = 1'-0"



4 NORTH BLDG ELEVATION
SCALE: 3/16" = 1'-0"

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

ITEM TITLE:	CITY ATTORNEY REPORT
For the Meeting of:	December 9, 2021
Submitted by:	City Attorney
Date Submitted:	December 2, 2021
Funds Required:	None
Attachments:	None
Item Description:	City Attorney Report

City of Fruitland Park v. State of Florida – Department of Management Services: On September 15, 2021 attorney Thomas filed Petitioner’s Exceptions to Recommended Order on behalf of the City. A closed-session executive meeting was held with the Commission October 19, 2021. On November 16, 2021 the Secretary of the Department of Management Services issued a Final Order. The Order denies the City’s exceptions and adopts the ALJ’s recommended order in its entirety. The Order also advises the City to discuss payment arrangements with DMS. To appeal the Final Order a notice of appeal must be filed by December 16, 2021.

Michael and Laurie Fewless v. City of Fruitland Park, Lake County Case No. 2020-CA-000104 (Judge Welke): On November 29, 2021 the Court entered a Differentiated Civil Case Management Order. It sets forth deadlines for discovery, resolution of pre-trial motions, completion of any mediation or non-binding arbitration, and a deadline within which to hold a trial, as well as other miscellaneous deadlines. It contemplates a trial within 18 months of the complaint being filed. The complaint was filed January 20, 2020.

Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case No. 2020-CA-1026 (Judge Davis): On July 12, 2021 Plaintiff filed its Motion for Summary Final Judgment of Mortgage Foreclosure. If Plaintiff’s Motion is granted then the property will be scheduled for a foreclosure sale. A hearing on Plaintiff’s Motion for Summary Judgment has been scheduled to take place on **March 1, 2022 at 1:30 PM.**

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: 9**

ITEM TITLE:	Public Comments
For the Meeting of:	December 9, 2021
Submitted by:	City Clerk
Date Submitted:	November 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

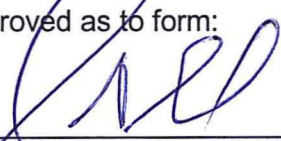
ATTEST:


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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