

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

February 9, 2023

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 Kelly Smith, Community United Methodist Church

Pledge of Allegiance – Chief Luce

2. ROLL CALL

3. CONSENT AGENDA

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

Approval of Minutes (city clerk)

January 26, 2023 regular

4. LOCAL PLANNING AGENCY

On or before 6:15 p.m. recess to the local planning agency.

5. REGULAR AGENDA

**(a) Resolution 2023-012 Soccer Field BT 2023-003 - FY 2022-23
Budget Amendment** (city attorney/city treasurer)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2022/2023 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE LAKE COUNTY SOCCER FIELD GRANT REVENUE BUDGET AND PUBLIC SOCCER FIELD EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

**(b) Resolution 2023-013 Public Safety Building BT2023 004 -
FY 2022-23 Budget Amendment** (city attorney/city treasurer)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2022/2023 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE

TRANSFER IN FROM PUBLIC SAFETY IMPACT FEES REVENUE BUDGET AND PUBLIC SAFETY BUILDING EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

- (c) **Resolution 2023-014 Gazebo and Installation for Fruitland Park Community Center's Courtyard FY 2022-23 Budget Amendment** (city attorney/city treasurer)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2022/2023 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE TRANSFER IN FROM REDEVELOPMENT FUND BALANCE REVENUE BUDGET AND COMMUNITY CENTER IMPROVEMENTS EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

- (d) **Resolution 2023-005 – LPG Proposal** (city attorney/city manager)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING LPG URBAN & REGIONAL PLANNERS, LLC'S PROPOSAL FOR PROFESSIONAL CONSULTING SERVICES (2023-P) DATED JANUARY 31, 2023 FOR COMPREHENSIVE PLAN UPDATES IN AN AMOUNT NOT TO EXCEED \$40,000; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

PUBLIC HEARING

- (e) **First Reading and Public Hearing Ordinance 2023-005 Solid Waste Rates Increase** (city attorney/city treasurer)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AN EXTENSION OF ITS SOLID WASTE COLLECTION FRANCHISE AGREEMENT WITH WASTE MANAGEMENT, INC. OF FLORIDA; ADOPTING RATES FOR THE PROVISION OF WASTE MANAGEMENT SERVICES TO THE RESIDENTS OF THE CITY OF FRUITLAND PARK; 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 February 23, 2023.)

- (f) **First Reading and Public Hearing - Ordinance 2023-001 Boundary Amendment (Annexation) - 19.10± Acres Multi-Family Medium – South of Urick Street and West of Thomas Avenue - Petitioner: Kimaya, LLC** (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 19.10 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from January 26, 2023.)

- (g) **First Reading and Public Hearing Ordinance 2023-002 SSCPA – 19.10± Acres Multi-Family Medium – South of Urick Street and West of Thomas Avenue - Petitioner: Kimaya, LLC** (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from January 26, 2023.)

QUASI-JUDICIAL PUBLIC HEARING

- (h) First Reading and Quasi-Judicial Public Hearing - Ordinance 2023-003 Rezoning - South of Urick Street and West of Thomas Avenue Petitioner: Kimaya, LLC** (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 19.10 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) TO CITY OF FRUITLAND PARK R-10 WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from January 26, 2023.)

END OF QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

- 6. (a) City Manager - Economic Development Status Update**
- (b) City Attorney**
- i. City of Fruitland Park v. State of Florida Department of Management Services**
 - ii. Michael and Laurie Fewless v. City of Fruitland Park**
 - iii. U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845**
 - iv. Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628**
 - v. Code of Ordinances Codification**
 - vi. Kaitlin Delong vs. City of Fruitland Park, Lake County Case No. 2022-CA-00463:**

7. UNFINISHED BUSINESS

8. PUBLIC COMMENTS

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

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

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

(b) Commissioner Bell

(c) Commissioner Gunter

(d) Vice Mayor DeGrave

10. MAYOR'S COMMENTS

11. ADJOURNMENT

DATES TO REMEMBER

- February 10, 2023, Lake County League of Cities, *Tallahassee Legislative Update*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- February 11, 2023, 5k Love Run, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 a.m.;
- February 13, 2023, Parks, Recreation and Trails Advisory Board, Office of Parks and Trails Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;
- February 17, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- February 22, 2023 – Lake~Sumter Metropolitan Planning Organization, Governing Board Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida 34748 at 2:00 p.m.;
- February 23, 2023, City Commission regular at 6:00 p.m.;

- March 4, 2023, Family Camp-Out, Cales Memorial Multipurpose Soccer Field Recreation Complex, 300 Shiloh Street, Fruitland Park, Florida at 5:00 p.m.;
- March 9, 2023, City Commission regular at 6:00 p.m.;
- March 17, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- March 23, 2023, City Commission regular at 6:00 p.m.;
- March 25, 2023, Fruitland Park Day with BBQ Cook Off, Berckman Street, Fruitland Park, Florida 34731 at 10:00 p.m.;

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

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.)

If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (§286.0105, F.S.)

PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 3

ITEM TITLE: Draft Meeting Minutes

MEETING DATE: Thursday, February 9, 2023

DATE SUBMITTED: Friday, February 3, 2023

SUBMITTED BY: City Clerk

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

Approval of Minutes

January 26, 2023 regular meeting minutes

FUNDS REQUIRED: None

ATTACHMENTS: Draft minutes

RECOMMENDATION: Approve the minutes, if there are no corrections, as submitted.

ACTION: Approval

**FRUITLAND PARK CITY COMMISSION REGULAR
DRAFT MEETING MINUTES
January 26, 2023**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 26, 2023 6:00 p.m.

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

Member Absent: Commissioner Chris Bell.

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Captain Henry Rains, Police Department; Mr. Michael “Mike” Rankin, Interim Community Development Director, LPG Urban Regional Planners Inc. (consultant retained by the city); Parks and Recreation Director Michelle Yoder; Deputy City Clerk Candice Dennis, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Cheshire called the meeting to order; Commander Larry Miller, John Gella Memorial Unit 219 Inc., gave the invocation and Captain Rains led in the pledge of allegiance to the flag.

ACTION: 6:00:10 p.m. No action was taken.

2. ROLL CALL

After Mayor Cheshire requested that Ms. Coulson call the roll and announced the absence of Commissioner Bell, a quorum was declared present.

Mayor Cheshire recognized the change on this evening’s agenda to item 7.(a), Resolution 2023-011 Gazebo Installation with addendum, the proposed resolution.

ACTION: 6:02:13 p.m. **By unanimous consent and upon Mayor Cheshire’s suggestion, the city commission excused the absence of Commissioner Chris Bell and accepted the above-captioned change to this evening’s agenda.**

3. SPECIAL PRESENTATIONS

(a) Love Week Proclamation – February 11-19, 2023

On behalf of the city commission, Mayor Cheshire read into the record a proclamation proclaiming the week of February 11 to 19, 2023 as *Love Week* to offer support in joining the community to perform acts of kindness by making a difference in creating an atmosphere of partnership and generosity within the city. Additionally, he read into the record highlights of the events to take place around that time from the media Press Release *Love Week 2023*; a copy of which is filed with the supplemental papers to the minutes of this meeting.

ACTION: 6:02:43 p.m. The proclamation was accepted with gratitude by Pastor Sidney Brock, Heritage Community Church, who announced that information on the events are available on the website: www.loveweek@fp.com and that it is a blessing to work together; namely, partnership with churches, governmental agencies, schools, businesses and civic organizations.

(b) Delegation - Petitioner's Annexation Request Discussion

Later in the meeting, Mr. Dan Tatro, Grizzard Commercial Real Estate Group LLC, addressed the annexation of 5.5 units an acre of high-density multi-family dwelling units on an existing agricultural site (platted Oliver Lane site) near J. C. Burke property. He described the development of commercial properties in and around the subject location.

Ms. Tara L. Tedrow, Attorney, Lowndes, Drosdick, Doster, Kantor & Reed, PA, on behalf of Hillpointe Development :LLC (potential owner-operator/developer), gave a power-point presentation on its proposed request for a cottage-style project under contract (multi-family low density at eight dwelling units per acre); anticipated feedback from the city commission, and addressed the intent to appear at a future meeting in that regard; a copy of which is filed with the supplemental papers to the minutes of this meeting.

It being 6:15 p.m. and upon Mayor Cheshire's announcement, **the city commission, by unanimous consent, waived its rules to recess to the local planning agency upon the conclusion of this agenda item.**

Extensive discussions ensued and Ms. Tedrow addressed her plan to obtain from staff data on the number of approved and developed multi-family dwelling units and zoning designations with permitted use and zoning designations to be considered; Vice Mayor DeGrave recalled the city commission's previous position on the proximity of same to another cluster, and Mr. Nicholas "Nick" Everly, Hillpointe Development LLC, described features of the proposed cottages.

ACTION: 6:07:06 p.m. No action was taken.

4. LOCAL PLANNING AGENCY

On or before 6:15 p.m. recess to the local planning agency.

ACTION 6:29:21 p.m. **By unanimous consent, the city commission recessed its meeting at 6:29 p.m. to the local planning agency.**

5. COMMUNITY REDEVELOPMENT AGENCY

On or before 6:30 p.m. recess to the community redevelopment agency.

ACTION 6:46:56 p.m. **By unanimous consent, the city commission recessed its meeting at 6:47 p.m. to the community redevelopment agency and reconvened at 6:56 p.m.**

6. CONSENT AGENDA

The city commission considered its action to approve the following consent agenda items:

- (a) **Approval of Minutes**
January 12, 2023 regular and workshop.

- (b) **Resolution 2023-010 Soccer Field 6th Am. – NW Lake Community Park**
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE SIXTH 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.

- (c) **Resolution 2023-009 Gazebo for Fruitland Park Community Center’s Courtyard**
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING FIFTHROOM QUOTE DATED MAY 9, 2022 QUOTE NO. 3038599-B IN THE AMOUNT OF \$33,018.00 TO PURCHASE A GAZEBO FOR THE COMMUNITY CENTER COURTYARD; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the January 12, 2023 regular meeting.)

ACTION 6:56:16 p.m. **On motion of Commissioner Gunter, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the previously cited consent agenda.**

7. REGULAR AGENDA

- (a) **Resolution 2023-011 Gazebo Installation for Fruitland Park Community Center’s Courtyard**

After Mayor Cheshire noted Section 1 of proposed Resolution 2023-011 to read: \$21,715 and not \$21,750, Ms. Geraci-Carver read into the record the following title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING ZORN CONSTRUCTION AND DEVELOPMENT JOB NO. 01799.22.1 DATED OCTOBER 17, 2022 IN THE AMOUNT OF \$21,715.00 TO INSTALL A GAZEBO AT THE COMMUNITY CENTER COURTYARD; PROVIDING FOR AN EFFECTIVE DATE.

ACTION 6:56:47 p.m. **A motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2023-011 as previously cited.**

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

(b) Golf Cart Quotes – Parks and Recreation

The city commission considered its action to approve staff's recommendation on one of the following golf cart quotes:

- Mid Florida Golf Carts	\$11,998.00
- Cart World	\$15,076.93
- Club Car	\$17,809.00
- EZ Go	\$20,269.00

ACTION 6:58:05 p.m. After much discussion and **on motion of Vice Mayor DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission approved staff's recommendation to select as the lowest, responsive and responsible bidder, Mid Florida Golf Carts' quote for \$11,998.00.**

By unanimous consent, Mayor Cheshire opened the public hearings.

PUBLIC HEARING

(c) Public Hearing – Resolution 2023-007 Crystal Lake Vista Preliminary Plat – Myrtle Lake Avenue – Petitioner: Crystal Lake Land Holdings LLC

It now being the time advertised to hold a public hearing to consider the adoption of Resolution 2023-007, after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for interested parties to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAT APPROVAL OF CRYSTAL LAKE VISTA GENERALLY LOCATED NORTH OF MYRTLE LAKE AVENUE, SOUTH OF PINE RIDGE DAIRY ROAD, AND WEST OF COUNTY ROAD 468, FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

After Mr. Rankin described the subject proposed preliminary plat and as a result of the number of letters previously sent to the surrounding property owners, he outlined the responses – return receipts, in opposition, non-deliverable, and concerns -- received in that regard, and relayed staff's recommendations of approval subject to approval from the city attorney, engineering and city commission of the proposed tree removal permit.

Later in the meeting, Mr. Carl Yauk, The Villages of Fruitland Park (VOFP) (Pine Hills) resident, referred to the preliminary plat showing Recreational Facilities,

Tract C and D designated as wetlands; questioned whether it is permissible to be used as such and inquired whether the subject property protruding on to Crystal Lake is part of the total acreage.

ACTION: 7:00:52 p.m. After discussion, a motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt aforementioned Resolution 2023-007 and accepted staff's recommendations as previously cited.

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.

- (d) **Public Hearing – Resolution 2023-006 Arbor Park Phases II and III Preliminary Plan – South of Urick St and East of CR 468 – Petitioner: S. Gupta**
It now being the time advertised to hold a public hearing to consider the adoption of Resolution 2023-006 and after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for interested parties to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAN APPROVAL OF ARBOR PARK - PHASES TWO AND THREE GENERALLY LOCATED WEST OF U.S. HWY 27/441, EAST OF COUNTY ROAD 468, NORTH OF GRIFFIN ROAD AND SOUTH OF URICK STREET, FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

After Mr. Rankin described the subject proposed preliminary plat (property formerly known as *Leesburg Fruit Company Inc.*); recognized -- as a result of the number of letters previously sent to the surrounding property owners – that no non deliverables, support or oppositions were received, he relayed staff's recommendations of approval subject to engineering approval.

Mr. Charles “Chuck” C. Hiott, Halff Associates, Inc. (consultants retained by the city), confirmed in response to Commissioner Gunter's inquiries that the subject issue is still consistent with the Preliminary (Plan) (Park Square Fruitland Park Phase 1 Plat Mixed Use) Planned Unit Development (PUD) that was previously approved (March 24, 2022).

After Commissioner Gunter pointed out the recent visit to the property (Rufus W. Holloway Jr. Family Trust, Holloway Properties Inc., and Leesburg Fruit Company Inc., owners) and relayed their intent to make the entire location on Phase 3, Tract A, (Olive Avenue and Urick Street) as a park., Mr. Hoitt recalled his appearance before the city commission (June 24, 2021) prior to the preliminary plan Phase 1

Plat 1; claimed that there were “kind of an agreement” when the petitioner moved the park from the northwest corner to the southwest corner of the property consistent with the PUD, and confirmed the requirements of the county.

Later in the meeting, and after Mr. Carl Yauk, VOF (Pine Hills) resident, recognized Leesburg Electrical distributing electric energy to all properties within the City of Fruitland Park, he referred to the master plan’s overall site data showing power from Duke Energy.

Mr. Hiott confirmed in the affirmative that electricity would be from Duke Energy and part of the PUD would be from the City of Leesburg’s gas.

After much discussion and following Mr. La Venia’s suggestion to find out whether electricity is paid to Duke Energy and retroactively negotiate a franchise agreement in that regard, Commissioner Gunter recalled the December 13, 2007 workshop presentations including Sumter Electric Cooperative on electric municipalization (evaluating the franchise and considering the purchase of the electric distribution system from the City of Leesburg) which was subsequently declined due to costs and suggested reviewing the purchase of the Leesburg Electric Company and subcontracting same.

ACTION: 7:07:04 p.m. After discussion a motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt aforementioned Resolution 2023-007 and accept staff’s recommendations as previously cited.

By unanimous consent, Mayor Cheshire closed the public hearing.

Following further discussion and by unanimous consent, the city commission directed the city manager to report back on the franchise agreement with Duke Energy and the City of Leesburg at a future meeting.

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

(d) First Reading and Public Hearing - Ordinance 2023-001 Boundary Amendment (Annexation) - 19.10± Acres Multi-Family Medium – South of Urick Street and West of Thomas Avenue - Petitioner: Kimaya, LLC

After Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2023-001, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO

INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 19.10 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

After Mr. Carl Yauk, VOFP (Pine Hills) resident, referred to a study conducted by The Villages on 30,000 units to meet the projected needs by 2035 and questioned the need for the city to conduct same on 550 dwelling units to meet same, Mr. La Venia recognized the developed and platted units in the area since the study was conducted.

After Mr. Charles "Chuck" C. Hiott, Halff Associates, Inc. (consultants retained by the city), requested that the subject ordinance; Ordinance 2023-002 under item 5.(e) and Ordinance 2023-003 under item 5.(f) be postponed date certain to February 9, 2023, Ms. Geraci-Carver concurred same to be acceptable.

ACTION: 7:21:51 p.m. By unanimous consent, Mayor Cheshire closed the public hearing.

On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission postponed its action to approve Ordinance 2023-001 to date certain February 9, 2023 at the applicant's request.

- (e) **First Reading and Public Hearing Ordinance 2023-002 SSCPA – 19.10± Acres Multi-Family Medium – South of Urick Street and West of Thomas Avenue - Petitioner: Kimaya, LLC**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO

AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 7:21:51 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission postponed its action to approve Ordinance 2023-002 to date certain February 9, 2023 at the applicant's request.**

QUASI-JUDICIAL PUBLIC HEARING

- (g) First Reading and Quasi-Judicial Public Hearing - Ordinance 2023-003 Rezoning - South of Urick Street and West of Thomas Avenue Petitioner: Kimaya, LLC**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 19.10 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) TO CITY OF FRUITLAND PARK R-10 WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 7:21:51 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission postponed its action to approve Ordinance 2023-003 to date certain February 9, 2023 at the applicant's request.**

- (h) Second Reading and Quasi-Judicial Public Hearing – Ordinance 2022-019 PUD – Lake Ella Road and East of Rolling Acres Road – Petitioner: Daryl M. Carver, Trustee of Lake Eller Road Land Trust**

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2022-019, after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 158 +/- ACRES OF PROPERTY FROM PLANNED UNIT DEVELOPMENT TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD)

WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF LAKE ELLA ROAD AND EAST OF ROLLING ACRES ROAD; APPROVING A MASTER DEVELOPMENT AGREEMENT; DIRECTING THE CITY MANAGER OR DESIGNEE TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on September 22, 2022.)

After Mr. Rankin acknowledged the changes to the subject project since the first reading, Ms. Geraci-Carver cited the yellow highlights shown in the master development agreement under Recitals and noted Lake County's approval of the second paragraph before and subsequent paragraph after subsections 8.A-D.

Mr. Jimmy Crawford, Crawford, Modica & Holt, attorney representing the property owner, confirmed that Timbertop Road will not extend all the way when the subject project is complete; noted the county's long range transportation plan to designate same as a collector as design and build instead of a local roadway, and in recalling discussions at the September 22, 2022 regular meeting, confirmed Lake County Public Works' written acceptance with the traffic improvements and revised language relative to subsection 8.A-D.

Mr. Crawford referred to subsection 4.F., Minimum Living Area shown on the concept plan; requested that it be changed it to read: *Single family detached shall have a minimum living area of 1,432 square feet and single family attached (townhome) shall have a minimum living area of 1,400 square feet* and explained that a revised concept plan will be provided reflecting the change of 1,400 square feet.

Following Vice Mayor DeGrave's concerns on the description of a lanai and after Mr. Heath Rivers, Land Acquisition ResiBuilt, explained that 1,400 square feet is the model area which would be additional, Ms. Geraci-Carver suggested that provisions under subsection 4.F., would be revised to reflect . . . *1,500 square feet under air not screened in fully enclosed under heat and air conditioning, roof and trusses.*

In response to Commissioner Mobilian's earlier inquiry, Mr. Mohammed Abdallah, Traffic & Mobility Consultants LLC, representing the applicant, relayed conversations with the county on needed improvements where there is right-of-way and described the plan to add four-foot shoulders and lanes; turn lanes as access points, and standard two-lane road according to county standards, and the installation of traffic signals at Lake Ella Road and Rolling Acres Road near the subject property as shown in the MDA.

Later in the meeting, Mr. Carl Yauk, VOFP (Pine Hills) resident, cited the following where he believed there are more problems significant to the amount of traffic with the addition of homes:

- Traffic Impact Analysis from staff's report . . . *The revised analysis indicates that portions of Rolling Acres Road operate below adopted Levels of Service (LOS) and future conditions in 2025 indicate that Micro Racetrack Road will operate below adopted LOS standards. . . .*;
- Subsection 153.040 b)3) A), Issuance of Development Orders and Mitigation Procedures concurrency management system under the land development code . . . *No development order shall be approved unless a concurrency capacity report has been issued*; and
- Subsection 153.020 c), Minimum Requirements for Concurrency, . . . *In the case of roadway facilities, the facilities will be deemed concurrent if the necessary improvements are committed in the first three years of the applicable adopted Florida Department of Transportation Five Year Work Program, the Lake County Five Year Road Capital Improvement Program or the City of Fruitland Park Five Year Capital Improvement Program. . . .*

In response, Ms. Geraci-Carver explained that the county will be addressing said issues which will be implemented concurrently with the development.

ACTION: 7:24:46 p.m. After extensive discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission enact Ordinance 2022-019 as amended -- to include the changes as previously cited in the master development agreement -- to become effective immediately as provided by law.**

After lengthy discussions 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

END OF PUBLIC HEARING

8. (a) City Manager

i. Economic Development Status Update

Mr. La Venia did not give a status report on economic development.

ACTION: 7:48:38 p.m. No action was taken.

ii. Friday Market

After Mr. La Venia referred to the Orange Blossom Market Company's proposal "Fruitland Park First Friday Market", Ms. Yoder described the concept to sponsor same on the front lawn outside city hall between 10:00 a.m. to 2:00 p.m. first Friday of every month except for June, July and August (starting March to June on a trial basis) and explained that funds and approved vendors would be managed by Orange Blossom through her own insurance consistent with what the city charges other contractors.

Following some discussion, Ms. Geraci-Carver confirmed that she has no issues with the proposal and that she will prepare a contract in that regard.

ACTION: 7:48:38 p.m. By unanimous consent, the city commission accepted the proposal as presented by staff from Orange Blossom Market Company on a trial basis and agreed with the city attorney to prepare a contract to include the insurance and indemnification provisions.

iii. Road Impact Fees

Mr. La Venia indicated that the city does not charge for road impact fees; recognized the county's road impact fees for different sections of the county, and compared the costs for development in City of Clermont to the City of Fruitland Park's Unincorporated Area where the accumulation of same is supplanted for road improvements.

Mr. La Venia addressed the transportation impact fee categories with various rates in all impact fee benefit districts and believed that a joint letter from the Cities of Fruitland Park, Leesburg and the Town of Lady Lake ought to be sent to the Lake County Board of County Commissioners to consider road impact fees as a volume of revenue due to approved developments and construction costs within the respective jurisdictions.

In response, Ms. Geraci-Carver she would find out if the county has recently conducted an update to its transportation impact fee study from the data collected to support the construction numbers and impact fee established; recognized the previous request combined from the South Lake Cities that the county commission increases the impact fee amount set at a certain percentage instead of the higher number allowed by the study, and believed there could be capacity from the increased development and construction costs within the City of Fruitland Park which would boost what the impact fees would be before sending a letter to the county commission.

ACTION: 7:56:58 p.m. After discussion, and by unanimous consent, the city commission directed the city attorney to research Lake County's transportation impact fee to determine whether there is capacity from increased development and construction costs to justify

the increase of said fees as a volume of revenue before writing a letter to the Lake County Board of County Commissioners.

(b) City Attorney

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

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

ACTION: 8:05:47 p.m. No action was taken.

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

Ms. Geraci-Carver gave reasons why the January 19, 2023 mediation in the Michael and Laurie Fewless case was cancelled and that information is anticipated from insurance in that regard.

ACTION: 8:05:47 p.m. No action was taken.

iii. U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845

Ms. Geraci-Carver reported that a summary judgement motion hearing has been scheduled for March 9, 2023 on the U.S. Bank National Association v. Robert Moore case.

ACTION: 8:06:06 p.m. No action was taken.

iv. Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628

Ms. Geraci-Carver had nothing to report on the Wayne Goodridge and Tammy Goodridge case.

ACTION: 8:06:22 p.m. No action was taken.

v. Fruitland Park Official City Code

Ms. Geraci-Carver reported that she sent to Ms. Julie Lovelace, CivicPlus Attorney, earlier this day responding to the outstanding items on the municiode codification manuscript; indicated that she is waiting for a few minor items -- one of which was responded to by Ms. Yoder prior to this evening's meeting and one anticipated from Ms. Sharon Williams, Community Development Department Administrative Manager – where she will update Ms. Lovelace once the final three answers are received.

ACTION: 8:06:28 p.m. No action was taken.

vi. Kaitlin Delong vs. City of Fruitland Park, Lake County Case No. 2022-CA-00463:

Ms. Geraci-Carver had nothing to report on the Kaitlin Delong case.

ACTION: 8:05:47 p.m. No action was taken.

vii. ARPA

Ms. Geraci-Carver gave a report on available American Rescue Plan Act federal funds Lake County had to spend to purchase the CSX Railroad Right-of-Way (ROW), which she believes is not proceeding, and the county's decision to keep the ROW.

Ms. Geraci-Carver indicated that there may be additional ARGA funding available and for the city to reach out to the county to apply for some of those funds earmarked for utility projects.

ACTION: 8:07:07 p.m. No action was taken.

9. UNFINISHED BUSINESS

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

ACTION: 8:07:47 p.m. No action was taken.

10. PUBLIC COMMENTS

Mr. Carl Yauk, The Villages of Fruitland Park (Pine Hills resident), referred to the Orange Blossom's Friday Market. He questioned the traffic before the hours of setting up and afterwards together with the school traffic during peak times; parking with potentially additional traffic and the physical location, and whether Veterans' Park as a logic location was considered which has bathroom and play facilities; thus, the venue's potential to grow.

ACTION: 8:07:48 p.m. No action was taken.

11. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian had nothing to report at this time.

ACTION: 8:09:22 p.m. No action was taken.

(b) Commissioner Bell -

Commissioner Bell was absent from this evening's meeting.

ACTION: 8:09:24 p.m. No action was taken.

- (c) **Commissioner Gunter, Jr.**
Commissioner Gunter had nothing to report at this time.

ACTION: 8:09:25 p.m. No action was taken.

- (d) **Vice Mayor DeGrave**
Vice Mayor DeGrave had nothing to report at this time.

ACTION: 8:09:28 p.m. No action was taken.

12. MAYOR'S COMMENTS

- (a) **President's Day**
Mayor Cheshire referred to a question posed by Commissioner Mobilian at the January 12, 2023 regular meeting on the costs to the city due to President's Day and any other city holiday to be \$6,500.

ACTION: 8:09:29 p.m. No action was taken.

- (b) **Dates to Remember**
Mayor Cheshire announced the following events:

- February 9, 2023, City Commission regular at 6:00 p.m.;
- February 10, 2023, LCLC, *TBD*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida at 12:00 p.m.;
- February 11, 2023 5k Love Run, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 a.m.;
- February 13, 2023, Parks, Recreation and Trails Advisory Board, Office of Parks and Trails Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;
- February 14, 2023 – *Love Week*
- February 17, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- February 22, 2023 – Lake Sumter Metropolitan Planning Organization, Governing Board Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida 34748 at 2:00 p.m.;
- February 23, 2023, City Commission regular at 6:00 p.m.;

ACTION: 8:09:54 p.m. No action was taken.

13. ADJOURNMENT

The meeting adjourned at 8:10 p.m.

The minutes were approved at the February 9, 2023 regular meeting.

Signed

Esther B. Coulson, City Clerk, MMC

Signed

Chris Cheshire, Mayor

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

ITEM TITLE: Local Planning Agency (LPA) Meeting

MEETING DATE: Thursday, February 9, 2023

DATE SUBMITTED: Thursday, February 2, 2023

SUBMITTED BY: City Clerk

BRIEF NARRATIVE: LPA Chapter 163, Florida Statutes.

FUNDS BUDGETED: No

ATTACHMENT

RECOMMENDATION: As soon as practical, recess to the Local Planning Agency meeting.

ACTION: None

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET

Item Number: 5a

ITEM TITLE: Resolution 2023-012 and Budget Amendment BT2023-003 Soccer Field Restrooms, Concrete Perimeter, Storage Shed, and Two Water Fountains; the 6th and 7th Lake County Payments FY 2022-23

MEETING DATE: February 9, 2023

DATE SUBMITTED: January 30, 2023

SUBMITTED BY: City Attorney/City Treasurer

BRIEF NARRATIVE: Budget Amendment BT2023-003 adds \$250,000 to Lake County Soccer Field Grant revenue (01001-33773), and increases soccer field expense (01574-60632) by \$250,000. This budget amendment will increase the FY 2023 general Fund budget by \$250,000.

FUNDS BUDGETED: See above.

ATTACHMENTS: Proposed resolution and budget amendment.

RECOMMENDATION: Approve Resolution 2023-012 and Budget Amendment BT2023-003 Soccerfield FY 2022-23

ACTION: Adopt Resolution 2023-012.

RESOLUTION 2023-012

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2022/2023 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE LAKE COUNTY SOCCER FIELD GRANT REVENUE BUDGET AND PUBLIC SOCCER FIELD EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Fiscal Year 2022-2023 budget of the City of Fruitland Park was adopted on September 22, 2022; and

WHEREAS, the Fifth Amendment to the Lake County Florida Interlocal Agreement approved a 6th payment in the amount of \$150,000 to pay for installation of restroom facilities; and

WHEREAS, the Sixth Amendment to the Lake County Florida Interlocal Agreement approved a 7th payment in the amount of \$100,000 to pay for concrete perimeter of restroom facilities, a shade structure for bleachers, a storage shed, and two water fountains and site furnishings; and

WHEREAS, it is necessary to increase revenues in the General Fund \$250,000.00 for the 6th and 7th payments to the City of Fruitland Park; and:

WHEREAS, the City Commission desires to amend the 2022-2023 Fiscal Year budget to increase the Soccer Field expense by \$250,000;

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

Section 1. The 2022/2023 budget adopted on September 22, 2022 is amended as set forth in Exhibit "A" attached hereto.

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

PASSED AND RESOLVED this 9th day of February, 2023, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park
Chris Cheshire, Mayor

Attest:

Esther B. Coulson, MMC
City Clerk

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

Approved as to form and legality:

Anita Geraci-Carver
City Attorney

CITY OF FRUITLAND PARK

Interfund Budget Amendment: #

BT2023-003

To: CITY MANAGER

Date: 26-Jan-2023

Prepared by: Finance Department Head

Approved: City Manager

REVENUES:

Object name & # 01001-33773 Lake Co. Soccer Field Rec Grant #6 Pmt Amount: 150,000 Inc/Dec

Object name & # 01001-33773 Lake Co. Soccer Field Rec Grant #7 Pmt Amount: 100,000 Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

EXPENDITURES:

Object name & # 01574-60632-SOCCL SOCCER FIELD Amount: 150,000 Inc/Dec

Object name & # 01574-60632 SOCCER FIELD Amount: 100,000 Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Explanation: Establish budget for Soccer Field Restroom, per Resolution 2021-34, 6th Lake County payment of \$150,000, dated 9/9/2021 and concrete perimeter for new restroom, storage shed, 2 water fountains, per Resolution 2023-010 , 7th Lake County payment, dated 1/26/2023.

Approved by Commission: 2/9/2023 Date

City Clerk

City Finance Director

Mayor

SIXTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY AND FRUITLAND PARK REGARDING IMPROVEMENTS TO NORTHWEST LAKE COMMUNITY PARK

3. The fourth payment in the amount of Fifty Thousand Dollars (\$50,000.00) will be provided after installation by the CITY of concrete walkways and bleachers pads, other ancillary concrete work, and handicap accessible parking at Northwest Lake Community Park. Upon completion of the installation of the concrete walkways and bleachers pads, other ancillary concrete work, and handicap accessible parking, the CITY will notify the COUNTY and if installed to the satisfaction of the COUNTY, the COUNTY agrees to make the fourth payment.

4. The fifth payment in the amount of Fifty Thousand Dollars (\$50,000.00) will be provided after installation by the CITY of the concrete walkways, fencing along the perimeter of the field and landscaping, including sod, plantings and ground cover. Upon completion of this work, the CITY will notify the COUNTY and if completed to the satisfaction of the COUNTY, the COUNTY agrees to make the fifth payment.

5. The sixth payment totaling One Hundred Fifty Thousand Dollars (\$150,000.00) will be provided after purchase and installation of restroom facilities on the soccer field site. Upon completion of this work, the CITY will notify the COUNTY and if completed to the satisfaction of the COUNTY, the COUNTY agrees to make the sixth payment.

6. The seventh payment totaling One Hundred Thousand Dollars (\$100,000.00) will be provided after purchase and installation of a concrete perimeter for the new restroom facility to include connection to existing sidewalk, a storage shed for mowers and maintenance equipment, a shade structure for bleachers, and two water fountains and site furnishings. Upon completion of this work, the CITY will notify the COUNTY and if completed to the satisfaction of the COUNTY, the COUNTY agrees to make the seventh payment.

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

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

2. The CITY shall submit requests for reimbursement to the COUNTY accompanied by documentary evidence of the CITY's expenditures incurred

agrees to make the fifth payment.

5. The sixth payment totaling One Hundred Fifty Thousand Dollars (\$150,000.00) will be provided after purchase and installation of restroom facilities on the soccer field site. Upon completion of this work, the CITY will notify the COUNTY and if completed to the satisfaction of the COUNTY, the COUNTY agrees to make the sixth payment.

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

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

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

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

4. The time of payment and the amount of funds reimbursable to the CITY by the COUNTY at any one time during the term of this Agreement is directly dependent on the costs incurred by the CITY for the Project as evidenced by the corresponding documentation specified in paragraphs B.(1.) and B.(2.) above. Notwithstanding the foregoing, in no event shall the COUNTY be obligated to reimburse to the CITY total monies in excess of Four Hundred Thousand Dollars (\$400,000.00).

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



Purchase Order

Fiscal Year 2022 Page 1 of 1

THIS NUMBER MUST APPEAR ON ALL INVOICES, PACKAGES AND SHIPPING PAPERS.

Bill To THE OFFICE OF PARKS AND TRAILS 2401 WOODLEA RD. PO BOX 7800 TAVARES, FL 32778

Ship To THE OFFICE OF PARKS AND TRAILS 2401 WOODLEA RD. PO BOX 7800 TAVARES, FL 32778

Purchase Order Number 20220659
Purchase Order Date 12/03/2021
Department PARKS SERVICES UNINCORPORATED

Vendor 1460 CITY OF FRUITLAND PARK UTILITIES 506 W BERCKMAN ST FRUITLAND PARK, FL 34731

FOB: Destination Inside Delivery

Table with 6 columns: VENDOR PHONE NUMBER, VENDOR EMAIL, VENDOR NUMBER, REQUISITION NUMBER, BUYER NAME, DELIVERY REFERENCE

NOTES

REPAIR, MAINTENANCE AND SERVICES OF BUILDINGS, PAR
The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading

Table with 6 columns: ITEM #, DESCRIPTION, QUANTITY, UOM, UNIT PRICE, EXTENDED PRICE. Row 1: 1, FIFTH AMENDMENT TO THE INTERLOCAL AGREEMENT... \$150,000.00

Budget Amendment Soccer

Florida Sales Tax Exemption No: 85-8013874700C-1 Fed ID #: 59-6000695
IMPORTANT: This order is subject to the terms & conditions herein.

Approver Name: ROBERTO BONILLA

Approval Date: 11/19/2021

Authorized by (Signature)

Purchase Order Total \$150,000.00

DEPARTMENT COPY

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

ITEM TITLE: Resolution 2023-013 and Budget Amendment
BT2023-004 Public Safety Building FY 2022-23

MEETING DATE: February 9, 2023

DATE SUBMITTED: January 30, 2023

SUBMITTED BY: City Attorney/City Treasurer

BRIEF NARRATIVE: Budget Amendment BT2023-004 adds \$500,000 to transfer in from public safety impact fees revenue (01001-38006), and increases public safety building expense (01521-60666) by \$500,000. This budget amendment will increase the FY 2023 general fund budget by \$500,000.

FUNDS BUDGETED: See above.

ATTACHMENTS: Proposed resolution and budget amendment.

RECOMMENDATION: Approve Resolution 2023-013 and Budget Amendment
BT2023-004 Public Safety Building FY 2022-23

ACTION: Adopt Resolution 2023-013.

RESOLUTION 2023-013

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2022/2023 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE TRANSFER IN FROM PUBLIC SAFETY IMPACT FEES REVENUE BUDGET AND PUBLIC SAFETY BUILDING EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Fiscal Year 2022-2023 budget of the City of Fruitland Park was adopted on September 22, 2022; and

WHEREAS, it is necessary to increase revenues in the General Fund \$500,000.00 for the design, schematics, construction documents and permitting of the Public Safety Building; and:

WHEREAS, the City Commission desires to amend the 2022-2023 Fiscal Year budget to increase the Public Safety Building Expense Budget by \$500,000.00;

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

Section 1. The 2022/2023 budget adopted on September 22, 2022 is amended as set forth in Exhibit "A" attached hereto.

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

PASSED AND RESOLVED this 9th day of February 2023, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park
Chris Cheshire, Mayor

Attest:

Esther B. Coulson, MMC
City Clerk

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

Approved as to form and legality:

Anita Geraci-Carver
City Attorney

CITY OF FRUITLAND PARK

Interfund Budget Amendment: #

BT2023-004

To: CITY MANAGER

Date: 30-Jan-2023

Prepared by: Finance Director
Department Head

Approved: City Manager

REVENUES:

Object name & # 01001-38006 Transfer in from Public Safety Impact Fees Amount: 500,000 Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

EXPENDITURES:

Object name & # 01521-60666 Public Safety Building Amount: 500,000 Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Explanation: Establish a budget for the Public Safety Building expenses for FY2023 from Public Safety Impact

Fees. Current balance of Public Safety Impact Fees is \$2,541,615.

Approved by Commission: 2/9/2023
Date

City Clerk

City Finance Director

Mayor

Account Inquiry [CITY OF FRUITLAND PARK]

- Back
- Search
- Browse
- Output
- Print
- Display
- PDF
- Save
- Excel
- Word
- Email
- Schedule
- Attach ⁽⁰⁾
- Detail
- Months
- Seg Fin

Fund	001	...	GENERAL FU	Acct	001 -520-521-60666 -		
Org	01521	...	LAW ENFORC	Acct name	PUBLIC SAFETY BUILDING		
Object	60666	...	PSC	Type	Expense	Status	Active
Project		...		Rollup			
				Sub-Rollup			
				<input type="checkbox"/> MultiYr Fund			

- 4 YEAR COMPARISON
- HISTORY
- 4 YEAR GRAPH
- HISTORY GRAPH

Yr/Per 2023/01	Fiscal Year 2023	Fiscal Year 2022	Fiscal Year 2021	Fiscal Year 2020
Original Budget	.00	.00	.00	
Transfers In	.00	.00	.00	
Transfers Out	.00	.00	.00	
Revised Budget	.00	.00	.00	
Actual (Memo)	4,499.00	20,432.58	11,440.00	
Encumbrances	336,880.25	.00	.00	
Requisitions	.00			
Available	-341,379.25	-20,432.58	-11,440.00	
Percent used	.00	.00	.00	

Gatorsketch

01001 - 38006 Tx in from Public Safety Impact Fees

Florida State Board of Administration Investments

AS OF: November 30, 2022

	Previous Balance	Deposits	Withdrawal	Audit Entry	SBA Interest	Due T/F	Ending Balance	
General Fund-01000								GL
15100 Unrestricted	377,470.92	3,205.89	50,356.31				330,320.50	261848.27
Restricted								Restricted
15140 Cemetery	75,361.92		1,715.00				73,646.92	12,981,937.98
15122 Building Dept	1,159,967.81	26,623.81					1,186,591.62	
15117 Police Impact	746,492.26		414.11				746,078.15	
15118 Fire Impact	1,795,536.53						1,795,536.53	2,541,614.68
15110 Police Education (2nd \$)	823.47		411.78				411.69	
15111 Police Drug Forfeiture	3,373.38						3,373.38	
15119 Police Donation	17,612.39		415.00				17,197.39	Total GF
15123 Library Donation	2,237.58						2,237.58	
15124 Recreation Donation	10,000.00						10,000.00	
15125 Stormwater	252,247.22	23,732.50					275,979.72	
15126 Centennial Celebration	10,000.00						10,000.00	
15127 Disaster	500,000.00						500,000.00	
15130 Paving	1,350,000.00						1,350,000.00	
15132 American Rescue Act	5,374,160.00						5,374,160.00	
15150 Publics Workds Bldg	1,600,000.00						1,600,000.00	Restricted
15170 Abandoned Property	36,975.00		250.00				36,725.00	12,981,937.98
Redevelopment Trust Fund-20000								
15100 Redevelopment	1,181,810.09						1,181,810.09	Total Redev
Unrestricted								1,181,810.09
General CIP/Infrastructure- 30000								
15112 Infrastructure	1,748,419.94						1,748,419.94	Total CIP
Unrestricted	0.00						0.00	1,748,419.94
Utility Fund - 40000								GL
15100 Unrestricted	227,869.67		1,358.00				226,511.67	228,772.01
Restricted								962,337.78
15107 SRF Debt Service	68,834.23						68,834.23	
15115 Sewer Impact	0.01						0.01	Total Utility
15116 Water Impact	892,145.54	1,358.00					893,503.54	1,188,849.45

TOTAL
PUBLIC
SAFETY

Florida State Board of Administration Investments

AS OF: November 30, 2022

	Previous Balance	Deposits	Withdrawal	Audit Entry	SBA Interest	Due T/F	Ending Balance
Recreation Fund - 62000							
15104 Rec Funds	0.00						0.00
Restricted							
15131 5Ks	0.00						0.00
15133 Rec Sprots Scholarships	0.00						0.00
	0.00						0.00
Total Funds	17,431,337.96				0.00	0.00	17,431,337.96

Total Rec
0.00

Statement	Account 151321	17,431,337.96					17,431,337.96
	Unrealized Gain						
	Total Statements	17,431,337.96					17,431,337.96

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

ITEM TITLE: Resolution 2023-014 and Budget Amendment
BT2023-005 Gazebo and Installation FY 2022-23

MEETING DATE: February 9, 2023

DATE SUBMITTED: January 30, 2023

SUBMITTED BY: City Attorney/City Treasurer

BRIEF NARRATIVE: Budget Amendment BT2023-005 adds \$54,733 to transfer in from the Community Redevelopment Agency fund balance revenue (20001-38001) and increases the community center improvement expense (20511-60636) by \$54,733. This budget amendment will increase the FY 2023 redevelopment fund budget by \$54,733.

FUNDS BUDGETED: See above.

ATTACHMENTS: Proposed resolution and budget amendment.

RECOMMENDATION: Approve Resolution 2023-014 and Budget Amendment BT2023-005 gazebo and installation.

ACTION: Adopt Resolution 2023-014.

RESOLUTION 2023-014

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2022/2023 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE TRANSFER IN FROM REDEVELOPMENT FUND BALANCE REVENUE BUDGET AND COMMUNITY CENTER IMPROVEMENTS EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Fiscal Year 2022-2023 budget of the City of Fruitland Park was adopted on September 22, 2022; and

WHEREAS, the Community Center is utilized by the community for various events, including but not limited to receptions, comedy shows, programs, all of which draws people to the City and within CRA of the City of Fruitland Park; and

WHEREAS, the City Commission desires to improve the Community Center courtyard with a gazebo; and

WHEREAS, it is necessary to increase revenues in the Redevelopment Fund \$54,733 for purchase and installation of a Gazebo; and:

WHEREAS, the City Commission desires to amend the 2022-2023 Fiscal Year budget to increase the Community Center Improvements expense by \$54,733;

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

Section 1. The 2022/2023 budget adopted on September 22, 2022 is amended as set forth in Exhibit "A" attached hereto.

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

PASSED AND RESOLVED this 9th day of February, 2023, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park
Chris Cheshire, Mayor

Attest:

Esther B. Coulson, MMC
City Clerk

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

Approved as to form and legality:

Anita Geraci-Carver
City Attorney

CITY OF FRUITLAND PARK

Interfund Budget Amendment: #

BT2023-005

To: CITY MANAGER

Date: 30-Jan-2023

Prepared by: Finance Director
Department Head

Approved: City Manager

REVENUES:

Object name & # 20001-38001 Transfer in from CRA Fund Balance Amount: 54,733 Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

EXPENDITURES:

Object name & # 20511-60636 Community Center Improvements - Gazebo Amount: 33,018 Inc/Dec

Object name & # 20511-60636 Community Center Improvement - Installation Amount: 21,715 Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Object name & # Amount: Inc/Dec

Explanation: Establish budget for purchase of Gazebo and installation of Gazebo.

The money will come from Redevelopment Fund Balance which has \$1.044 million in the fund balance.

Approved by Commission: 2/9/2023
Date

City Clerk

City Finance Director

Mayor

(b) Resolution 2023-010 Soccer Field 6th Am. - NW Lake Community Park (city attorney/city manager/parks and recreation director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE SIXTH 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.

5th + 6th put together B/A

(c) Resolution 2023-009 Gazebo for Fruitland Park Community Center's Courtyard (city attorney/city manager/parks and recreation director)

X
MAY 10 10 30 AM '23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING FIFTHROOM QUOTE DATED MAY 9, 2022 QUOTE NO. 3038599-B IN THE AMOUNT OF \$33,018.00 TO PURCHASE A GAZEBO FOR THE COMMUNITY CENTER COURTYARD; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the January 12, 2023 regular meeting.)

7. REGULAR AGENDA

(a) Resolution 2023-011 Gazebo Installation for Fruitland Park Community Center's Courtyard (city attorney/city manager/parks and recreation director) \$ 21,715
Forthcoming.

(b) Golf Cart Quotes - Parks and Recreation (city manager/parks and recreation director)

Motion to consider staff's recommendation on one of the following golf cart quotes:

CIP

- Mid Florida Golf Carts \$11,998.00
- Cart World \$15,076.93
- Club Car \$17,809.00
- EZ Go \$20,269.00

12k Cart
6 Bldg Storage
Being purchased now
18K

**FRUITLAND PARK CITY COMMISSION
SPECIAL COMMUNITY REDEVELOPMENT AGENCY
MEETING AGENDA
January 26, 2023**

City Hall Commission Chambers
506 W. Berckman Street
Fruitland Park, Florida 34731
On or before 6:30 p.m.

1. CALL TO ORDER

2. ROLL CALL

- 3. APPROVAL OF MINUTES** (city clerk)
January 12, 2023 CRA regular and workshop minutes

- 4. GAZEBO INSTALLATION FOR FRUITLAND PARK COMMUNITY CENTER'S COURTYARD** (city manager/parks and recreation director)
Motion to consider one of the following quotes for a gazebo installation:

* Zorn Construction and Development LLC	\$17,413.00
JDM Global	\$21,715.00

*Rebar
11/11
11/15*

11/30

- 5. PUBLIC COMMENTS** (city clerk)
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 Community Redevelopment Agency 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 CRA. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the CRA addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

6. UNFINISHED BUSINESS

7. ADJOURNMENT

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.)

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

ITEM TITLE:	Resolution 2023-005 LPG Proposal
MEETING DATE:	Thursday, February 9, 2023
DATE SUBMITTED:	Thursday, February 2, 2023
SUBMITTED BY:	City Attorney/City Manager
BRIEF NARRATIVE:	Resolution 2023-005
FUNDS BUDGETED:	Yes (01524-30312, \$40,000)
ATTACHMENT	Proposed resolution and proposal.
RECOMMENDATION:	Approval
ACTION:	Adopt Resolution 2023-005

RESOLUTION 2023-005

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING LPG URBAN & REGIONAL PLANNERS, LLC'S PROPOSAL FOR PROFESSIONAL CONSULTING SERVICES (2023-P) DATED JANUARY 31, 2023 FOR COMPREHENSIVE PLAN UPDATES IN AN AMOUNT NOT TO EXCEED \$40,000; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park finds it necessary to update its comprehensive plan based on the 2020 Census Data, to identify certain County roads within the City as collector roads, and address other changes as directed by the City Commission; and

WHEREAS, LPGURP provides services to the City pursuant to that certain Planning Services Agreement dated July 23, 2020 and will provide these additional services on a time and material basis pursuant to the terms of that Agreement; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida finds it is in the best interest of the City to approve the proposal from LGPURP.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Proposal for Professional Consulting Services (2023-P) dated January 31, 2023 from LPG Urban & Regional Planners, Inc. in the amount not to exceed \$40,000.00 for City of Fruitland Park Comprehensive Plan Updates, **a copy of which is attached**, is approved.

Section 2. The Commission authorizes the Mayor to execute the proposal.

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 9th day of February 2023, 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 DeGrave	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Gunter	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Bell	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Mobilian	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

Approved as to form:

Anita Geraci-Carver, City Attorney



January 31, 2023

Mr. Gary LaVina, City Manager
City of Fruitland Park
506 W. Berckman St.
Fruitland Park, FL 34731

RE:*PROPOSAL FOR PROFESSIONAL CONSULTING SERVICES (2023-P)*
PROJ:*CITY OF FRUITLAND PARK COMPREHENSIVE PLAN UPDATES*

Dear Mr. LaVina:

LPG Urban & Regional Planners, Inc. (LPGURP) appreciates the opportunity to provide professional consulting services. Updates to the Comprehensive Plan will need to be prepared based on the 2020 Census data, direction from the City Commissioners, and Workshops. More specifically, LPGURP will make recommendations for changes to the Comprehensive Plan to implement the recommendations and findings of the workshops and City Commission directives. LPGURP will prepare a summary of data revisions to the Comprehensive Plan elements as follows:

- Future Land Use Element
- Transportation Element
- Housing Element
- Recreation and Open Space Element
- Conservation Element
- Intergovernmental Coordination Element
- Capital Improvements Element
- Public Facilities Element

LPGURP shall provide these services on a time and material basis not to exceed \$40,000.00 under the Planning Services Agreement dated July 23, 2020.

Invoices for services will be rendered monthly. We will coordinate with you on all our activities and invoice you for the services.

Page Two
Mr. Gary LaVina
January 31, 2023

LPGURP appreciates the opportunity to provide you with consulting services and looks forward to working with you on these projects. Should you have any questions regarding the above, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M Rankin', with a long horizontal flourish extending to the right.

Michael Rankin
Managing Member

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

ITEM TITLE: First Reading and Public Hearing 2023-005
Extension Solid Waste Collection Franchise
Agreement

MEETING DATE: February 9, 2023

DATE SUBMITTED: February 2, 2023

SUBMITTED BY: City Attorney/City Manager/City Treasurer

BRIEF NARRATIVE: Ordinance 2023-005 increases solid waste collections effective March 1, 2023 per the contract that allows an annual increase each January. The consumer price index change is 5.87% and a fuel surcharge has been added. The last attachment is the new rates which includes Fruitland Park administration fee of \$2.94 and the 10% franchise fee. This document reflects the total amount billed to the customer. Last year residential was \$29.94 per month and this year it will be \$31.80 per month for an increase of \$1.86. This is an increase of 6.21% which includes the new fuel charge. (The second reading will be held on February 23, 2023.)

FUNDS BUDGETED: None

ATTACHMENTS: Proposed ordinance, fee schedule, rates, and comparison

RECOMMENDATION: Approval

ACTION TO BE TAKEN: Approve Ordinance 2023-005.

ORDINANCE 2023-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AN EXTENSION OF ITS SOLID WASTE COLLECTION FRANCHISE AGREEMENT WITH WASTE MANAGEMENT, INC. OF FLORIDA; ADOPTING RATES FOR THE PROVISION OF WASTE MANAGEMENT SERVICES TO THE RESIDENTS OF THE CITY OF FRUITLAND PARK; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Waste Management Inc. of Florida provides consistent, reliable, and more than satisfactory service to the City of Fruitland Park and its residents; and

WHEREAS, after reviewing the surrounding market for such service, the City found rates and terms to be undesirable, and does not want the quality of service to diminish; and

WHEREAS, City Commission of the City of Fruitland Park finds and determines that it is in the best interest of the City residents to extend its franchise agreement with Waste Management Inc. of Florida (“Waste Management”) for an additional term; and

WHEREAS, the City Commission desires to approve the Fifth Amendment to Restated Solid Waste Collection Agreement

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

Section 1. The City of Fruitland Park hereby extends its franchise agreement with Waste Management to September 30, 2027, pursuant to the terms of the Fourth Amendment to Restated Solid Waste Collection Agreement with Waste Management attached hereto as Exhibit “A” and incorporated herein by reference.

Section 2. The City Commission of the City of Fruitland Park hereby adopts the schedule of rates for solid waste collection services attached to the Fifth Amendment to Restated Solid Waste Collection Agreement and are incorporated herein by reference.

Section 3. Conflict. All ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Codification. Certain provisions of this ordinance are intended to be incorporated into the Code of Ordinances of the City of Fruitland Park, Florida and the sections of this ordinance may be renumbered, relettered, and the word “ordinance” may be changed to “section”, “article”, or such other word or phrase in order to accomplish such intention.

Section 5. Severability. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

Section 6. This Ordinance shall be effective upon passage.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this 9th day of February 2023.

Chris Cheshire, Mayor

Attest:

Esther B. Coulson, City Clerk, MMC

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

First Reading February 9, 2023

Second Reading

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

City of Fruitland Park Fuel Surcharge Calculator

Exhibit "A"

DOE avg. at Least	WM Surcharge %	DOE avg. at Least	WM Surcharge %	DOE avg. at Least	WM Surcharge %	DOE avg. at Least	WM Surcharge %
4.50	0.00	5.02	2.60	5.16	5.20	5.68	7.80
4.51	0.05	5.03	2.65	5.17	5.25	5.69	7.85
4.52	0.10	5.04	2.70	5.18	5.30	5.70	7.90
4.53	0.15	5.05	2.75	5.19	5.35	5.71	7.95
4.54	0.20	5.06	2.80	5.20	5.40	5.72	8.00
4.55	0.25	5.07	2.85	5.21	5.45	5.73	8.05
4.56	0.30	5.08	2.90	5.22	5.50	5.74	8.10
4.57	0.35	5.09	2.95	5.23	5.55	5.75	8.15
4.58	0.40	5.10	3.00	5.24	5.60	5.76	8.20
4.59	0.45	5.11	3.05	5.25	5.65	5.77	8.25
4.60	0.50	5.12	3.10	5.26	5.70	5.78	8.30
4.61	0.55	5.13	3.15	5.27	5.75	5.79	8.35
4.62	0.60	5.14	3.20	5.28	5.80	5.80	8.40
4.63	0.65	5.15	3.25	5.29	5.85	5.81	8.45
4.64	0.70	5.16	3.30	5.30	5.90	5.82	8.50
4.65	0.75	5.17	3.35	5.31	5.95	5.83	8.55
4.66	0.80	5.18	3.40	5.32	6.00	5.84	8.60
4.67	0.85	5.19	3.45	5.33	6.05	5.85	8.65
4.68	0.90	5.20	3.50	5.34	6.10	5.86	8.70
4.69	0.95	5.21	3.55	5.35	6.15	5.87	8.75
4.70	1.00	5.22	3.60	5.36	6.20	5.88	8.80
4.71	1.05	5.23	3.65	5.37	6.25	5.89	8.85
4.72	1.10	5.24	3.70	5.38	6.30	5.90	8.90
4.73	1.15	5.25	3.75	5.39	6.35	5.91	8.95
4.74	1.20	5.26	3.80	5.40	6.40	5.92	9.00
4.75	1.25	5.27	3.85	5.41	6.45	5.93	9.05
4.76	1.30	5.28	3.90	5.42	6.50	5.94	9.10
4.77	1.35	5.29	3.95	5.43	6.55	5.95	9.15
4.78	1.40	5.30	4.00	5.44	6.60	5.96	9.20
4.79	1.45	5.31	4.05	5.45	6.65	5.97	9.25
4.80	1.50	5.32	4.10	5.46	6.70	5.98	9.30
4.81	1.55	5.33	4.15	5.47	6.75	5.99	9.35
4.82	1.60	5.34	4.20	5.48	6.80	6.00	9.40
4.83	1.65	5.35	4.25	5.49	6.85	6.01	9.45
4.84	1.70	5.36	4.30	5.50	6.90	6.02	9.50
4.85	1.75	5.37	4.35	5.51	6.95	6.03	9.55
4.86	1.80	5.38	4.40	5.52	7.00	6.04	9.60
4.87	1.85	5.39	4.45	5.53	7.05	6.05	9.65
4.88	1.90	5.40	4.50	5.54	7.10	6.06	9.70
4.89	1.95	5.41	4.55	5.55	7.15	6.07	9.75
4.90	2.00	5.42	4.60	5.50	7.20	6.08	9.80
4.91	2.05	5.43	4.65	5.57	7.25	6.09	9.85
4.92	2.10	5.44	4.70	5.58	7.30	6.10	9.90
4.93	2.15	5.45	4.75	5.59	7.35	6.11	9.95
4.94	2.20	5.46	4.80	5.60	7.40	6.12	10.00
4.95	2.25	5.47	4.85	5.61	7.45	6.13	10.05
4.96	2.30	5.48	4.90	5.62	7.50	6.14	10.10
4.97	2.35	5.49	4.95	5.63	7.55	6.15	10.15
4.98	2.40	5.50	5.00	5.64	7.60	6.16	10.20
4.99	2.45	5.51	5.05	5.65	7.65	6.17	10.25
5.00	2.50	5.52	5.10	5.66	7.70		
5.01	2.55	5.53	5.15	5.67	7.75		

Waste Mgt Collection Disposal Rates
Jan 2023

RATE	(R)RE		FY 22 GB	New Rate	GB	Fuel	FP	FP		IND AMT	Last Year	Difference	%
CODE	(C)CO	DESC		FY23	DISP	Surcharge	ADMIN	FF		BILLED	FY2022	fm last year	Increase
SWR001	R	Residential	29.94	21.12	4.33	0.52	2.94	2.89		31.80	29.94	1.86	6.21%
SWC002	C	Commercial curb 1x week	31.47	18.24	8.44	0.45	2.94	3.01		33.08	31.47	1.61	5.10%
SWC001	C	Commercial curb 2x week	37.28	23.29	8.95	0.57	2.94	3.58		39.33	37.28	2.05	5.49%
SWC003	C	1-2yd X 1 WEEK	96.35	49.53	37.87	1.22	2.94	9.16		100.72	96.35	4.37	4.53%
SWC004	C	1-2yd X 2 WEEK	189.48	99.07	75.74	2.43	2.94	18.02		198.20	189.48	8.72	4.60%
SWC037	C	1-2yd X 3 WEEK	282.59	148.60	113.61	3.65	2.94	26.88		295.68	282.59	13.09	4.63%
	C	1-2yd X 4 WEEK	375.67	198.10	151.47	4.86	2.94	35.74		393.11	375.67	17.44	4.64%
		1-2yd X 5 WEEK	468.78	247.63	189.33	6.08	2.94	44.60		490.58	468.78	21.80	4.65%
		1-2yd X 6 WEEK	561.90	297.17	227.20	7.29	2.94	53.46		588.06	561.90	26.16	4.66%
SWC005	C	1-4yd X 1 WEEK	182.11	91.97	75.74	2.26	2.94	17.29		190.20	182.11	8.10	4.45%
SWC006	C	1-4yd X 2 WEEK	360.92	183.89	151.48	4.52	2.94	34.28		377.11	360.92	16.19	4.49%
SWC020	C	1-4yd X 3 WEEK	539.81	275.88	227.22	6.78	2.94	51.28		564.10	539.81	24.29	4.50%
	C	1-4yd X 4 WEEK	718.64	367.81	302.96	9.03	2.94	68.27		751.01	718.64	32.37	4.50%
		1-4yd X 5 WEEK	897.50	459.78	378.70	11.29	2.94	85.27		937.98	897.50	40.48	4.51%
		1-4yd X 6 WEEK	1,076.35	551.72	454.45	13.55	2.94	102.27		1,124.93	1,076.35	48.58	4.51%
SWC008	C	1-6yd X 1 WEEK	260.49	127.32	113.61	3.13	2.94	24.70		271.70	260.49	11.21	4.30%
SWC009	C	1-6yd X 2 WEEK	517.81	254.71	227.22	6.26	2.94	49.11		540.24	517.81	22.43	4.33%
SWC022	C	1-6yd X 3 WEEK	775.04	382.00	340.83	9.38	2.94	73.52		808.67	775.04	33.63	4.34%
	C	1-6yd X 4 WEEK	1,032.33	509.36	454.44	12.51	2.94	97.93		1,077.18	1,032.33	44.85	4.34%
		1-6yd X 5 WEEK	1,289.60	636.69	568.05	15.64	2.94	122.33		1,345.65	1,289.60	56.06	4.35%
		1-6yd X 6 WEEK	1,546.84	764.00	681.66	18.77	2.94	146.74		1,614.11	1,546.84	67.26	4.35%
SWC011	C	1-8yd X 1 WEEK	316.89	141.51	151.48	3.48	2.94	29.94		329.35	316.89	12.46	3.93%
SWC012	C	1-8yd X 2 WEEK	630.49	282.97	302.96	6.95	2.94	59.58		655.40	630.49	24.92	3.95%
SWC018	C	1-8yd X 3 WEEK	944.12	424.46	454.44	10.42	2.94	89.23		981.49	944.12	37.37	3.96%
	C	1-8yd X 4 WEEK	1,257.71	565.90	605.92	13.90	2.94	118.87		1,307.53	1,257.71	49.82	3.96%
		1-8yd X 5 WEEK	1,571.36	707.41	757.40	17.37	2.94	148.51		1,633.63	1,571.36	62.27	3.96%
	C	1-8yd X 6 WEEK	1,884.99	848.90	908.88	20.85	2.94	178.16		1,959.73	1,884.99	74.73	3.96%
SWC007		2-4yd X 1 WEEK	360.98	183.94	151.48	4.52	2.94	34.29		377.17	360.98	16.19	4.49%
SWC010		2-6yd X 2 WEEK	1,032.39	509.42	454.44	12.52	2.94	97.93		1,077.25	1,032.39	44.86	4.35%
SWC013		2-6yd X 1 WEEK	517.75	254.64	227.22	6.26	2.94	49.11		540.17	517.75	22.42	4.33%
SWC014		2-8yd X 1 WEEK	630.54	283.02	302.96	6.96	2.94	59.59		655.47	630.54	24.93	3.95%
SWC015		1-2ydX 1 WK, 2-4ydX 2 WK	811.72	417.31	340.83	10.26	2.94	77.13		848.47	811.72	36.75	4.53%
SWC016		8ydX3 WK & CC X 1 WK	972.36	442.70	462.88	10.87	2.94	91.94		1,011.33	972.36	38.97	4.01%
SWC017		1-2yd 1-4yd X 1 WEEK	275.22	141.50	113.61	3.48	2.94	26.15		287.68	275.22	12.46	4.53%
SWC019		2-8yd & 4yd X 1 WEEK	809.41	374.99	378.70	9.22	2.94	76.59		842.44	809.41	33.02	4.08%

Waste Mgt Collection Disposal Rates
Jan 2023

RATE	(R)RE		FY 22 GB	New Rate	GB	Fuel	FP	FP		IND AMT	Last Year	Difference	%
CODE	(C)CO	DESC		FY23	DISP	Surcharge	ADMIN	FF		BILLED	FY2022	fm last year	Increase
SWC021		2-2yd X 1 WK, 1-2yd X 2 WK	375.71	198.13	151.48	4.87	2.94	35.74		393.16	375.71	17.46	4.65%
SWC023		2-4yd X 2 WEEK	718.61	367.78	302.96	9.04	2.94	68.27		750.99	718.61	32.38	4.51%
SWC024		2-2yd X 2 WEEK	375.72	198.14	151.48	4.86	2.94	35.74		393.16	375.72	17.45	4.64%
SWC025		8yd X 4 WK & CC X 1 wk	1,285.94	584.14	614.36	14.35	2.94	121.58		1,337.37	1,285.94	51.43	4.00%
SWC026		2yd & 4yd X 2 Week	547.16	282.96	227.22	6.95	2.94	52.01		572.08	547.16	24.92	4.55%
SWC027		8yd X 5 WK & CC X 1WK	1,599.60	725.65	765.84	17.82	2.94	151.23		1,663.48	1,599.60	63.88	3.99%
SWC028		2-8yd x 2	1,257.74	565.94	605.92	13.90	2.94	118.87		1,307.57	1,257.74	49.83	3.96%
SWC029		2-2yd X 1 WEEK	189.46	99.06	75.74	2.44	2.94	18.02		198.20	189.46	8.73	4.61%
SWC030		3-2yd X 1 WEEK	282.58	148.59	113.61	3.66	2.94	26.88		295.68	282.58	13.10	4.64%
SWC031		2-4yd 4-RES	473.92	256.90	185.24	6.32	2.94	45.14		496.54	473.92	22.62	4.77%
SWC032		3-8yd X 2 WEEK	1,884.99	848.91	908.88	20.85	2.94	178.16		1,959.74	1,884.99	74.74	3.97%
SWC033		2-CC X 2 WEEK	71.32	46.58	17.90	1.14	2.94	6.86		75.42	71.32	4.09	5.74%
SWC034		2 yd & 6yd X 1	353.61	176.85	151.48	4.35	2.94	33.56		369.18	353.61	15.58	4.40%
SWC035		6yd X 3 & CC X 1	803.28	400.24	349.27	9.83	2.94	76.23		838.51	803.28	35.23	4.39%
SWC036		6yd X 5 WK & CC X 1 WK	1,317.83	654.93	576.49	16.09	2.94	125.05		1,375.50	1,317.83	57.66	4.38%
SWR003		RES/STP/MLTP	12.52		8.44	0.52	2.94	1.19		13.09	12.52	0.57	4.57%

Exhibit "B"

City of Fruitland Park Collection and Disposal Rates

Effective 2/01/23-1/31/24

Residential Services Based on \$40/ton disposal for 2x week garbage/yardwaste
Plus weekly Clamshell/Bulk Collection Services

Garbage Collection	Disposal	Fuel	Rate Per Month
\$ 21.12	\$ 4.33	\$ 0.52	\$ 25.97

Commercial Handstops

	Garbage Collection	Disposal	Fuel	Rate Per Month
Commercial curb 1x week	\$ 18.24	\$ 8.44	\$ 0.45	\$ 27.13
Commercial curb 2x week	\$ 23.29	\$ 8.95	\$ 0.57	\$ 32.81

Commercial Dumpsters (Rate/month) Rates Effective 2/1/2023

Qty/Size/Frequency	Garbage Coll.	Garbage Disp.	Fuel	Coll./Disp/ Fuel
1-2yd X 1 WEEK	\$ 49.53	\$ 37.87	\$ 1.22	\$ 88.61
1-2yd X 2 WEEK	\$ 99.07	\$ 75.74	\$ 2.43	\$ 177.24
1-2yd X 3 WEEK	\$ 148.60	\$ 113.61	\$ 3.65	\$ 265.86
1-2yd X 4 WEEK	\$ 198.10	\$ 151.48	\$ 4.86	\$ 354.44
1-2yd X 5 WEEK	\$ 247.63	\$ 189.35	\$ 6.08	\$ 443.06
1-2yd X 6 WEEK	\$ 297.17	\$ 227.20	\$ 7.30	\$ 531.66
<hr/>				
1-4yd X 1 WEEK	\$ 91.97	\$ 75.74	\$ 2.26	\$ 169.97
1-4yd X 2 WEEK	\$ 183.89	\$ 151.48	\$ 4.52	\$ 339.89
1-4yd X 3 WEEK	\$ 275.88	\$ 227.22	\$ 6.78	\$ 509.88
1-4yd X 4 WEEK	\$ 367.81	\$ 302.96	\$ 9.03	\$ 679.81
1-4yd X 5 WEEK	\$ 459.78	\$ 378.70	\$ 11.29	\$ 849.77
1-4yd X 6 WEEK	\$ 551.72	\$ 454.45	\$ 13.55	\$ 1,019.72
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1-6yd X 1 WEEK	\$ 127.32	\$ 113.61	\$ 3.13	\$ 244.06
1-6yd X 2 WEEK	\$ 254.71	\$ 227.22	\$ 6.26	\$ 488.19
1-6yd X 3 WEEK	\$ 382.00	\$ 340.83	\$ 9.38	\$ 732.21
1-6yd X 4 WEEK	\$ 509.36	\$ 454.44	\$ 12.51	\$ 976.31
1-6yd X 5 WEEK	\$ 636.69	\$ 568.05	\$ 15.64	\$ 1,220.38
1-6yd X 6 WEEK	\$ 764.00	\$ 681.66	\$ 18.76	\$ 1,464.43
<hr/>				
1-8yd X 1 WEEK	\$ 141.51	\$ 151.48	\$ 3.48	\$ 296.47
1-8yd X 2 WEEK	\$ 282.97	\$ 302.96	\$ 6.95	\$ 592.88
1-8yd X 3 WEEK	\$ 424.46	\$ 454.44	\$ 10.42	\$ 889.32
1-8yd X 4 WEEK	\$ 565.90	\$ 605.92	\$ 13.90	\$ 1,185.72
1-8yd X 5 WEEK	\$ 707.41	\$ 757.40	\$ 17.37	\$ 1,482.19
1-8yd X 6 WEEK	\$ 848.90	\$ 908.88	\$ 20.85	\$ 1,778.63

Commercial Dumpsters (Rate/month) Rates Effective 2/1/2023

Qty/Size/Frequency	Garbage Coll.	Garbage Disp.	Fuel	Coll./Disp
1-2yd X 1 WEEK	\$ 65.19	\$ 37.87	\$ 1.60	\$ 104.66
1-2yd X 2 WEEK	\$ 130.38	\$ 75.74	\$ 3.20	\$ 209.32
1-2yd X 3 WEEK	\$ 195.57	\$ 113.61	\$ 4.80	\$ 313.98
1-2yd X 4 WEEK	\$ 260.71	\$ 151.48	\$ 6.40	\$ 418.60
1-2yd X 5 WEEK	\$ 325.90	\$ 189.35	\$ 8.00	\$ 523.25
1-2yd X 6 WEEK	\$ 391.10	\$ 227.22	\$ 9.60	\$ 627.92
<hr/>				
1-4yd X 1 WEEK	\$ 121.05	\$ 75.74	\$ 2.97	\$ 199.76
1-4yd X 2 WEEK	\$ 242.02	\$ 151.48	\$ 5.94	\$ 399.44
1-4yd X 3 WEEK	\$ 363.08	\$ 227.22	\$ 8.92	\$ 599.22
1-4yd X 4 WEEK	\$ 484.07	\$ 302.96	\$ 11.89	\$ 798.92
1-4yd X 5 WEEK	\$ 605.10	\$ 378.70	\$ 14.86	\$ 998.66
1-4yd X 6 WEEK	\$ 726.10	\$ 454.44	\$ 17.83	\$ 1,198.37
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1-6yd X 1 WEEK	\$ 167.57	\$ 113.61	\$ 4.12	\$ 285.29
1-6yd X 2 WEEK	\$ 335.22	\$ 227.22	\$ 8.23	\$ 570.67
1-6yd X 3 WEEK	\$ 502.74	\$ 340.83	\$ 12.35	\$ 855.92
1-6yd X 4 WEEK	\$ 670.36	\$ 454.44	\$ 16.46	\$ 1,141.26
1-6yd X 5 WEEK	\$ 837.93	\$ 568.05	\$ 20.58	\$ 1,426.56
1-6yd X 6 WEEK	\$ 1,005.49	\$ 681.66	\$ 24.69	\$ 1,711.84
<hr/>				
1-8yd X 1 WEEK	\$ 186.24	\$ 151.48	\$ 4.57	\$ 342.30
1-8yd X 2 WEEK	\$ 372.41	\$ 302.96	\$ 9.15	\$ 684.52
1-8yd X 3 WEEK	\$ 558.62	\$ 454.44	\$ 13.72	\$ 1,026.78
1-8yd X 4 WEEK	\$ 744.78	\$ 605.92	\$ 18.29	\$ 1,368.99
1-8yd X 5 WEEK	\$ 931.01	\$ 757.40	\$ 22.86	\$ 1,711.27
1-8yd X 6 WEEK	\$ 1,117.23	\$ 908.88	\$ 27.44	\$ 2,053.55

CPI for All Urban Consumers (CPI-U)

Original Data Value

For the City of Fruitland Park

Series Id: CUUR0000SEHG02,CUUS0000SEHG02
Not Seasonally Adjusted
Series Title: Garbage and trash collection in U.S. city average, all urban consumers, not seasonally adjusted
Area: U.S. city average
Item: Garbage and trash collection
Base Period: DECEMBER 1983=100
Years: 2012 to 2022

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	HALF1	HALF2
2012	#####	400.381	401.692	400.913	401.067	402.793	406.243	406.823	407.594	409.495	410.155	410.416		
2013	#####	411.805	412.305	413.675	414.511	414.802	416.505	417.760	418.357	419.687	421.427	422.237		
2014	#####	422.483	423.413	425.393	425.242	425.930	426.562	426.771	427.327	427.995	427.808	428.187		
2015	#####	429.248	429.235	429.807	431.234	430.813	431.229	432.967	433.843	434.829	436.428	436.996		
2016	#####	438.296	437.699	437.676	438.317	437.858	438.607	439.358	439.707	440.311	443.343	444.745		
2017	#####	447.699	446.987	447.129	447.272	448.046	448.328	448.717	449.008	452.196	453.820	453.596		
2018	#####	454.915	455.230	458.722	462.887	465.041	465.579	470.457	471.026	472.535	486.650	485.935	458.358	475.364
2019	#####	477.474	478.569	479.449	480.865	480.984	482.138	483.987	484.346	486.133	486.485	486.708	478.838	484.966
2020	#####	494.429	495.288	494.432	494.946	496.679	498.564	500.882	501.756	503.315	504.970	508.190	494.463	502.946
2021	#####	517.270	518.505	518.579	516.440	517.202	521.185	524.408	529.934	530.114	529.053	532.538	516.786	527.872
2022	#####	538.313	540.719	542.564	544.546	547.554	548.187	548.706	558.254	561.090	563.816	565.185	541.129	557.540

Index Change = 31.278

CPI Change 5.87%

Fuel + CPI Applied 8.473%

Month	Lower Atlantic (PADD 1C) No 2 Diesel Ultra Low Sulfur (0-15 ppm) Retail Prices Dollars per Gallon	WM Surcharge %	6 month Fuel Average
Dec-22	4.743	2.60%	5.02
Nov-22	5.188		
Oct-22	5.065		
Sep-22	4.842		
Aug-22	4.898		
Jul-22	5.393		
Jun-22	5.726	1.70%	4.84
May-22	5.541		
Apr-22	5.058		
Mar-22	5.11		
Feb-22	3.99		
Jan-22	3.622		3.39

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

ITEM TITLE: First Reading and Public Hearing – Ordinance 2023-001 Boundary Amendment (Annexation) – 19.10± Acres Multi Family Medium – South of Urick St and West of Thomas Avenue – Petitioner: Kimaya LLC

MEETING DATE: Thursday, February 9, 2023

DATE SUBMITTED: Tuesday, January 17, 2023

SUBMITTED BY: City Attorney/City Manager/Community Development

BRIEF NARRATIVE: Ordinance 2023-001 Boundary Amendment to receive city services and develop a proposed subdivision including single family cottages, townhomes, and multi-family apartments.

FUNDS BUDGETED: None

ATTACHMENTS: Proposed Ordinance 2023-001, legal description, location map, staff report and advertising affidavit.

RECOMMENDATION: Staff recommends that a conceptual plan be submitted with the rezoning to R-10 and adequate schools determination or school concurrency reservation. The Planning and Zoning Board recommended approval at its January 19, 2023 meeting. (Postponed from January 26, 2023)

ACTION:

ORDINANCE 2023-001

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 19.10 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Vishaal Gupta, as Applicant, on behalf of Kimaya, LLC, Owner, requesting that approximately 19.10 ± acres of real property generally located south of Urick Street and west of Thomas Avenue (the "Property") be annexed to and made a part of the City of Fruitland Park; and

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

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

WHEREAS, the Planning and Zoning Board considered this ordinance at a public meeting; and

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

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

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

Section 1. The recitals set forth above are hereby adopted as legislative findings of the City Commission of the City of Fruitland Park.

Section 2. The following described property consisting of approximately 19.10 acres of land generally located south of Urick Street and west of Thomas Avenue, contiguous to the City limits, is hereby incorporated into and made part of the City of Fruitland Park Florida. The property is more particularly described as follows:

LEGAL DESCRIPTION: See attached Exhibit A.

Parcel Alternate Key No. 1289891

Section 3. Upon this Ordinance becoming effective, the property annexed shall be subject to all laws, ordinances, and regulations enforced in the City of Fruitland Park, and shall be entitled to the same privileges and benefits as other parts of the City of Fruitland Park upon the effective date of the annexation. Except that the property annexed in this Ordinance is subject to the Land Use Plan

of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendments to include the property annexed in the City Comprehensive Plan.

Section 4. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Department of State of Florida within seven (7) days after its passage on second and final reading. It shall further be submitted to the Office of Economic and Demographic Research within 30 days of approval along with a statement specifying the population census effect and the affected land area. F.S. 171.091, Florida Statutes.

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. 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 7. All ordinances and parts of ordinances to the extent in conflict with this Ordinance are hereby repealed.

Section 8. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2023.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

(SEAL)

ATTEST:

Esther Coulson, MMC, City Clerk

Approved as to Form:

Anita Geraci-Carver, City Attorney

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

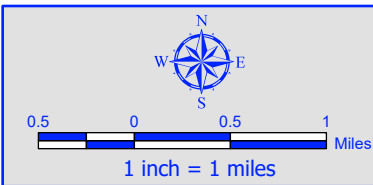
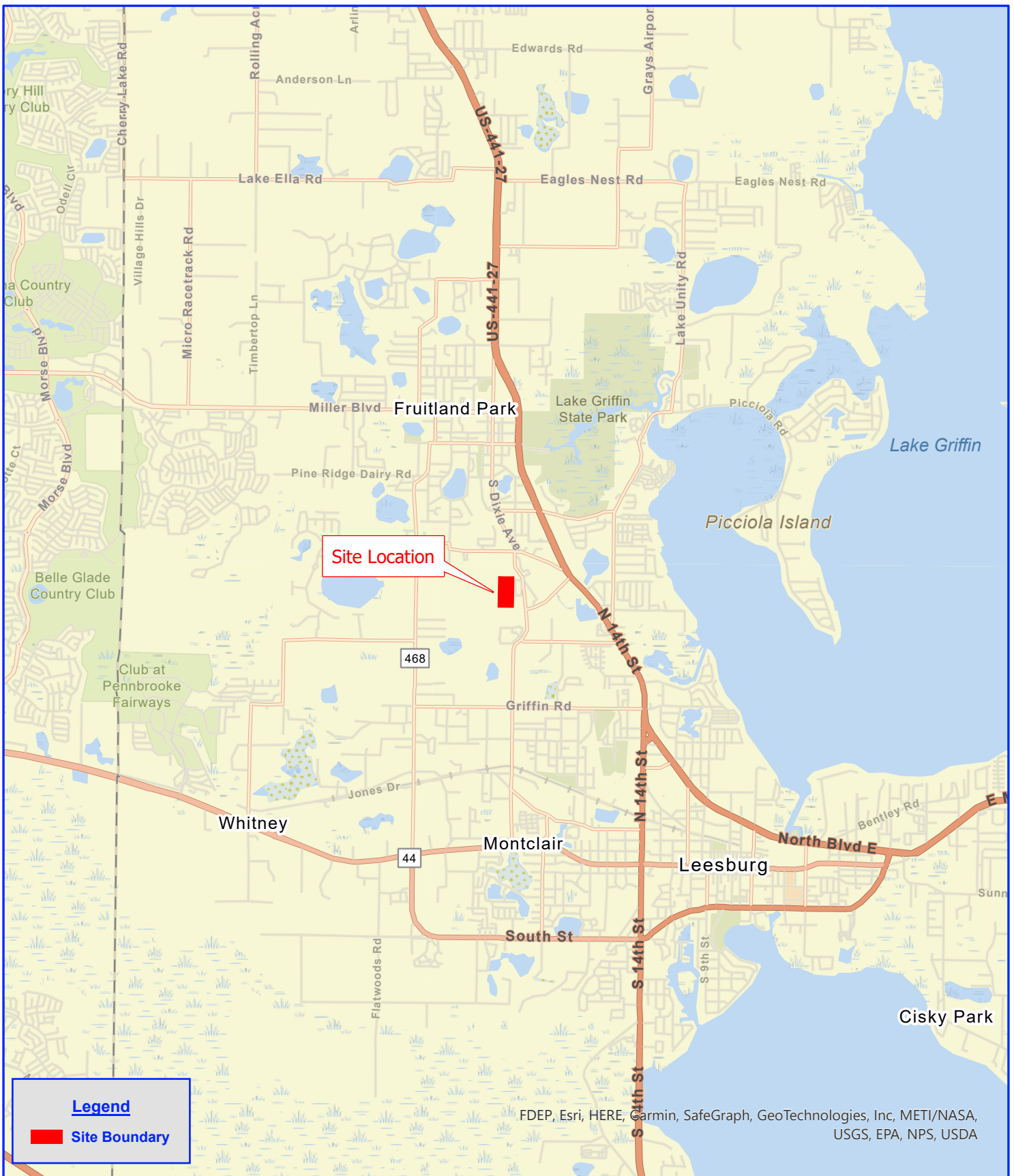
Passed First Reading _____
Passed Second Reading _____

EXHIBIT A
Legal Description

THE EAST 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, SECTION 16,
TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.
LESS THE SOUTH 50 FEET THEREOF.

ALSO DESCRIBED AS:

BEGIN AT THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 19 SOUTH,
RANGE 24 EAST, LAKE COUNTY, FLORIDA THENCE S 00°53'57" E, ALONG THE
EAST LINE OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, A DISTANCE OF 1265.41
FEET; THENCE N 89°25'38" W, A DISTANCE OF 657.76 FEET, TO THE WEST LINE OF
THE EAST 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, THENCE N 00°55'00"
E, ALONG SAID WEST LINE, A DISTANCE OF 1266.62 FEET, TO THE NORTH LINE
OF THE NE 1/4 OF SAID SECTION 16; THENCE S 89°19'17" E, ALONG SAID NORTH
LINE, A DISTANCE OF 657.37' TO THE POINT OF BEGINNING.



City of Fruitland Park
Park Square
 Lake County, Florida
 Location Map



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

ANNEXATION, SSCPA, AND REZONING

Owner: Kimaya, LLC

Applicant: Vishaal Gupta

General Location: Silver Pointe Circle/ Urick St/ Thomas Ave

Number of Acres: 19.10 ± acres

Existing Zoning: Agriculture (Lake County)

Proposed Zoning: R-10 (City of Fruitland Park)

Existing Land Use: Urban High (Lake County) (12 units/acre)

Proposed Land Use: Multi-Family Medium Density (10 units/acre)

Date: December 13, 2022

Description of Project

The applicant is requesting annexation, a small-scale comp plan amendment, and a rezoning to receive city services and develop a proposed subdivision including single family cottages, townhomes, and multi-family apartments.

	Surrounding Zoning	Surrounding Land Use
North	R-15	Multi-Family High Density (15 units/acre)
South	City of Leesburg – appears to be r/w	City of Leesburg – no land use designated
East	C-3	General Commercial (City of Leesburg)
West	MUPUD	Mixed Community (6 units/acre)

Assessment

Applications

Please be advised that the concurrency application indicates 304 units; however, the maximum # of units that potentially could be allowed is 191. Please revise application.

Annexation

The subject site is adjacent to the City limits along the northern and western property boundaries and is eligible for voluntary annexation. The proposed annexation would be considered infill development. The subject site is also within the City's Utility Service Area.

Rezoning

The subject property is currently zoned Agriculture in Lake County and the proposed City zoning is R-10 (minimum lot size for single family of 8,000 square feet with central sewer being utilized, and minimum lot size for multi-family of 6,000 square feet with central sewer). The proposed zoning is compatible with the adjacent lands. The property to the North is zoned R-15, and to the west the property is zoned MUPUD (6 units/acre). The property to the South is City of Leesburg (appears to be City of Leesburg right of way), and to the east the property is zoned C-3.

Small Scale Comp Plan Amendment

For comprehensive plan purposes a maximum development scenario was utilized.

Residential Needs Analysis – The housing element data and analysis indicates the City requires a minimum of 5,460 additional dwelling units to meet the projected need through 2035. The addition of 287 units will assist in meeting this need.

School Impact Analysis – The amendment will decrease the impacts to schools, as it is a decrease in density from 12 units/acre (228 units) to 10 units/acre (191 units). The decrease in school age children is from 65 students to 54 students; a decrease of 11 students. Please provide adequate school facilities determination from Lake County Schools.

Existing County Land Use Residential Units: 228 units

Proposed Development Residential Units: 191 units

The anticipated number of students generated by the existing land use is shown in Table 1.

**TABLE 1
STUDENTS GENERATED BASED ON EXISTING DEVELOPMENT**

Lake County Student Generation Rates	
Multi-Family	
Type	Student Multipliers per Dwelling Unit
High School	0.143
Middle School	0.063
Elementary School	0.077
Total	0.283

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	0	0.152	0	228	0.143	33	33
MIDDLE	0	0.074	0	228	0.063	14	14
HIGH	0	0.102	0	228	0.077	18	18
GRAND TOTAL							65

The anticipated number of students generated by the proposed land use is shown in Table 2.

SCHOOL	SF Units	STUDENT GENERATION RATE	STUDENTS GENERATED	MF UNITS	STUDENT GENERATION RATE	STUDENTS GENERATED	GRAND TOTAL
ELEMENTARY	0	0.152	0	191	0.143	27	27
MIDDLE	0	0.074	0	191	0.063	12	12
HIGH	0	0.102	0	191	0.077	15	15
GRAND TOTAL							54

Traffic Impact Analysis – The amendment will decrease traffic impacts as it is an decrease in density. The LOS for Dr Martin Luther King Jr. Blvd is “D”. Results of the trip analysis indicate that the proposed amendment will decrease the daily trips by 281 and reduce the PM Peak hour trips by 23. The proposed increase in traffic is considered de minimus.

TRIP GENERATION ANALYSIS

Proposed Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
MF Residential	191 units	220	1,388	105	66	39
TOTAL GROSS TRIPS (PROPOSED)			1,388	105	66	39

Existing Land Use Program

Land Use	Size/Unit	ITE Code	Daily Trips	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
MF Residential	228 units	220	1,669	128	80	47
TOTAL GROSS TRIPS (EXISTING)			1,669	128	80	47

Net Difference (Proposed Net Generation Minus Existing Net Trip Generation)

Land Use	PM Peak Hour Trips	PM Trips Enter	PM Trips Exit
TOTAL NET TRIPS (PROPOSED – EXISTING)	-23	-14	-8

Solid Waste Impact Analysis – The LOS for solid waste is 2 collections per week pursuant to Public Facilities Policy 4-6.1. The City utilizes a private waste hauler through a franchise agreement. The amendment will not cause a deficiency in the LOS.

Utility Impact Analysis – The subject site is within the City of Fruitland Park Utility Service Area and central water is available. The LOS for water is 172 gallons per resident per day pursuant to Public Facilities Policy 4-10.1. The estimated population based on US Census data (estimated 2019) of 2.42 person per household is 462. The estimated water usage is 0.079.

The City owns, operates and maintains a central potable water treatment and distribution system. The permitted plant capacity is 2.879 MGD and the permitted consumptive use permit capacity is 1.22 MGD. The City has a current available capacity of .396 mgpd and an analysis was conducted of the proposed amendment based on land use and the City’s Level of Service (LOS) standards. The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining available capacity of 0.317 mgpd.

The City of Fruitland Park provides sanitary sewer. The City of Fruitland Park has an agreement with the Town of Lady Lake to treat sewage and the maximum capacity is 500,000 gallons per day (0.5 mgd). The City currently has an available capacity of 430,000 gallons per day (0.43 mgd). The LOS for sanitary sewer is 122 gallons per resident per day pursuant to Public Facilities Policy 4-2.1. The estimated population based on US Census data (estimated 2019) of 2.42 person per household is 462. The estimated sanitary sewer usage is 0.056 (mgd). The analysis concludes that the proposed amendment will not cause a deficiency and the City will have a remaining capacity of 0.374 (mgd).

Environmental Analysis – There are no wetlands or surface waters onsite. Formal surveys for the federally listed sand skink were completed in accordance with USFWS survey protocol in May 2022. A 4-week formal coverboard survey detected a total of forty-seven (47) coverboard with skink tracks within the project site on suitable habitat. The coverboard survey tracks detected determined that 7.43 acres of the subject property contains occupied sand skink habitat and if this area cannot be avoided then mitigation will be required from a USFWS approved Conservation Bank.

There were no known eagle nests observed on the property. A pedestrian survey of the subject property located potentially occupied gopher tortoise burrows. Prior to land clearing and/or construction it is advised that a 100% survey of all potentially suitable gopher tortoise habitat be performed. Prior to development, appropriate regulatory permits will be required.

Comprehensive Plan Compliance

The subject amendment is consistent with the following Comprehensive Plan policies, among others. The amendment will further the City’s goals in meeting projected housing demands through 2035.

- FLU Policy 1-1.1:** Adequate Residential Land Area.
- FLU Policy 1-1.2:** Density and Intensity Standards and Table 1-1 – Multi-Family Medium Density, 10 units/acre.
- FLU Policy 1-1.6:** Multiple-Family Medium Density.
- FLU Policy 1-2.1:** Promote Orderly, Compact Growth.

Recommendation

It is highly recommended that a conceptual plan be submitted with the rezoning to R-10. Please submit adequate schools determination or school concurrency reservation.

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 #1104495 in the matter of

NOTICE OF PUBLIC HEARING

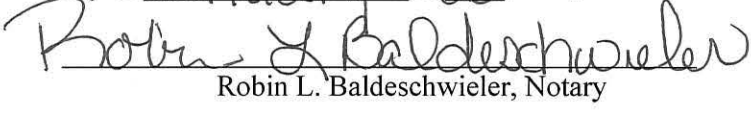
was published in said newspaper in the issues of

JANUARY 9, 2023

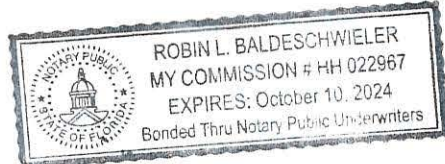
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, 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 13 day of January 2023.


 Robin L. Baldeschwieler, Notary

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



NOTICE OF PUBLIC HEARING

ORDINANCE 2023 - 001

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 19.10 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE

ORDINANCE 2023-002

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

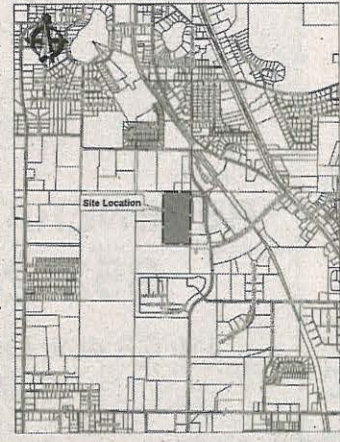
ORDINANCE 2023-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 19.10 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) TO CITY OF FRUITLAND PARK R-10 WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

The proposed Ordinances will be considered at the following public meetings:
 Fruitland Park Planning & Zoning Board Meeting on January 19, 2023 at 6:00 p.m.
 Fruitland Park Land Planning Agency Meeting on January 26, 2023 at 6:15 p.m.
 Fruitland Park City Commission Meeting on January 26, 2023 at 6:00 p.m.
 Fruitland Park City Commission Meeting February 9, 2023 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. These meetings are open to the public and hearings may be continued as determined by the commission from time to time to a time/date certain. The proposed Ordinances 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 resolution.

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.



AIR DUCT
 by **FRESH**
 Is your home?
ALLERGIES?
 We use brand
 hepa filter
 clean
FREE
AIR HANDLER
INSPECTION (REG)
 We also offer: A/C Clean
 No Gas or Trip Charge
 Sanitizing • UV
 Licensed & Insured for

Breakthrough
for Headaches
and Lower

- Traditional Massage
- Chiropractic
- Specific Nutritional
- Protocols for
- Spinal Decompression
- Laser to Accelerate
- Most Insurance

CHI
 Robert Ar...

369 Colony Blvd.
 The patient and any other person responsible for payment within 72

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

ITEM TITLE: First Reading and Public Hearing - Ordinance 2023-002
SSCPA - South of Urick Street and West of Thomas
Avenue - Petitioner: Kimaya, LLC

MEETING DATE: Thursday, January 26, 2023

DATE SUBMITTED: Tuesday, January 17, 2023

SUBMITTED BY: City Attorney/City Manager/Community Development

BRIEF NARRATIVE: Ordinance 2023-002 small-scale comprehensive plan amendment to receive city services and develop a proposed subdivision including single family cottages, townhomes, and multi-family apartments. The Planning and Zoning Board at its January 19, 2023 meeting recommended approval.

FUNDS BUDGETED: None

ATTACHMENTS: Proposed Ordinance 2023-002, legal description and maps. (See Item 5f for staff report and advertising affidavit.)

RECOMMENDATION: It is highly recommended that a conceptual plan be submitted with the rezoning to R-10 and that adequate schools' determination or school concurrency reservation be submitted. The Planning and Zoning Board recommended approval at its January 19, 2023 meeting. (Postponed from January 26, 2023.)

ACTION:

ORDINANCE 2023-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Vishaal Gupta as applicant, on behalf of Kimaya, LLC as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Multi-Family Medium Density" under the Comprehensive Plan for the City of Fruitland Park; and

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

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

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

Section 1: The following described property consisting of approximately 19.10 ± acres generally located south of Urick Street and west of Thomas Avenue as described and depicted as set forth on Exhibit "A" shall be assigned a land use designation of Multi-Family Medium Density under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "B" and incorporated herein by reference.

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

Section 3. Direction to the City Manager.

Upon the Effective Date of this ordinance, the City Manager is hereby authorized to amend the comprehensive plan and future land-use map as identified herein after compliance with F.S. 163.3187 and F.S. 163.3184(11).

Section 4: Severability.

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

Section 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6: Scrivener’s Errors.

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

Section 7. Adoption

After adoption, a copy hereof shall be forwarded to the Department of Economic Opportunity.

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

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2023.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, MMC, City Clerk

Anita Geraci-Carver, City Attorney

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

Passed First Reading _____
Passed Second Reading _____
(SEAL)

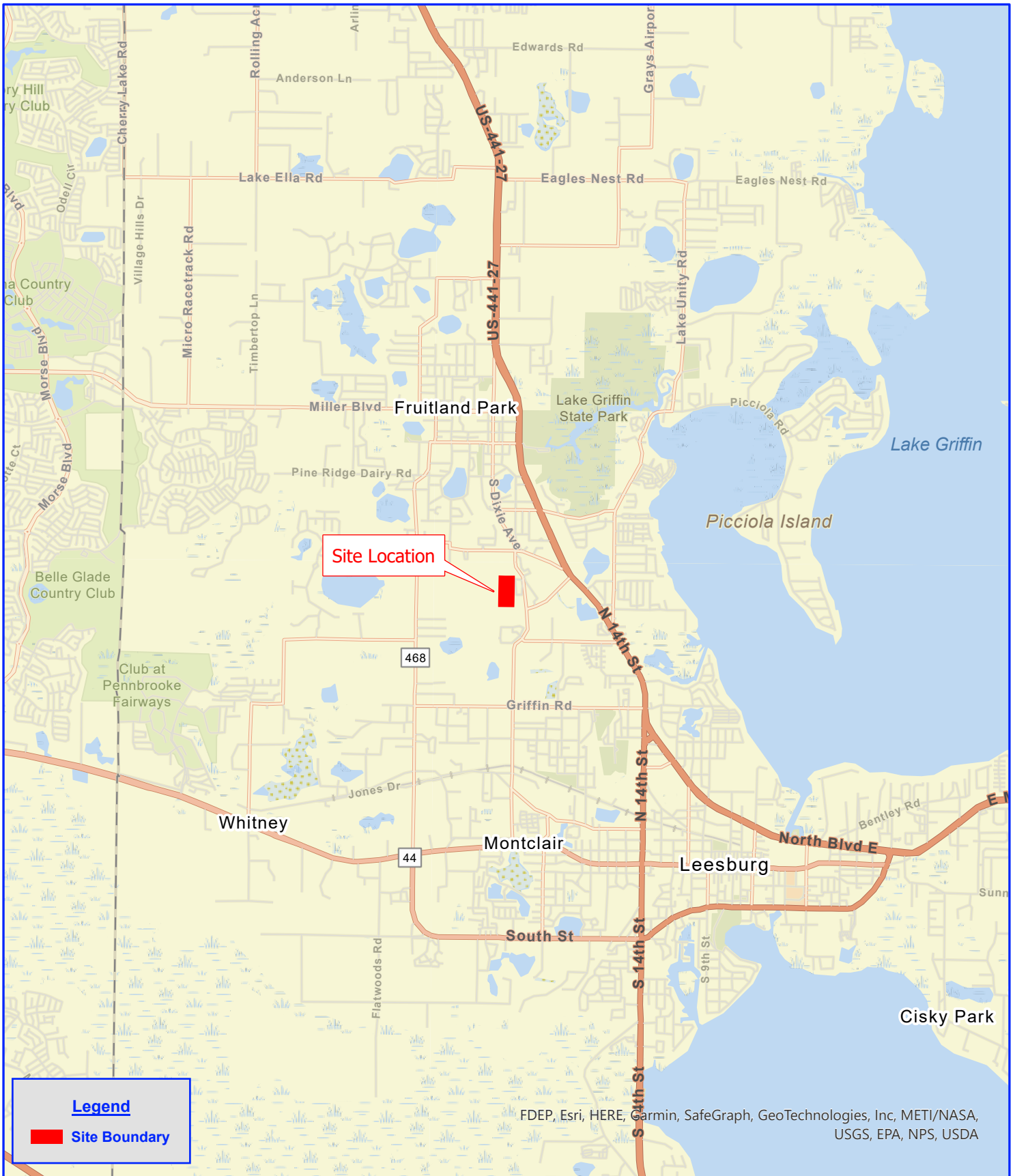
“EXHIBIT A”

THE EAST 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, SECTION 16,
TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.
LESS THE SOUTH 50 FEET THEREOF.

ALSO DESCRIBED AS:

BEGIN AT THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 19 SOUTH,
RANGE 24 EAST, LAKE COUNTY, FLORIDA THENCE S 00°53'57" E, ALONG THE
EAST LINE OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, A DISTANCE OF 1265.41
FEET; THENCE N 89°25'38" W, A DISTANCE OF 657.76 FEET, TO THE WEST LINE OF
THE EAST 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, THENCE N 00°55'00"
E, ALONG SAID WEST LINE, A DISTANCE OF 1266.62 FEET, TO THE NORTH LINE
OF THE NE 1/4 OF SAID SECTION 16; THENCE S 89°19'17" E, ALONG SAID NORTH
LINE, A DISTANCE OF 657.37' TO THE POINT OF BEGINNING.

EXHIBIT B



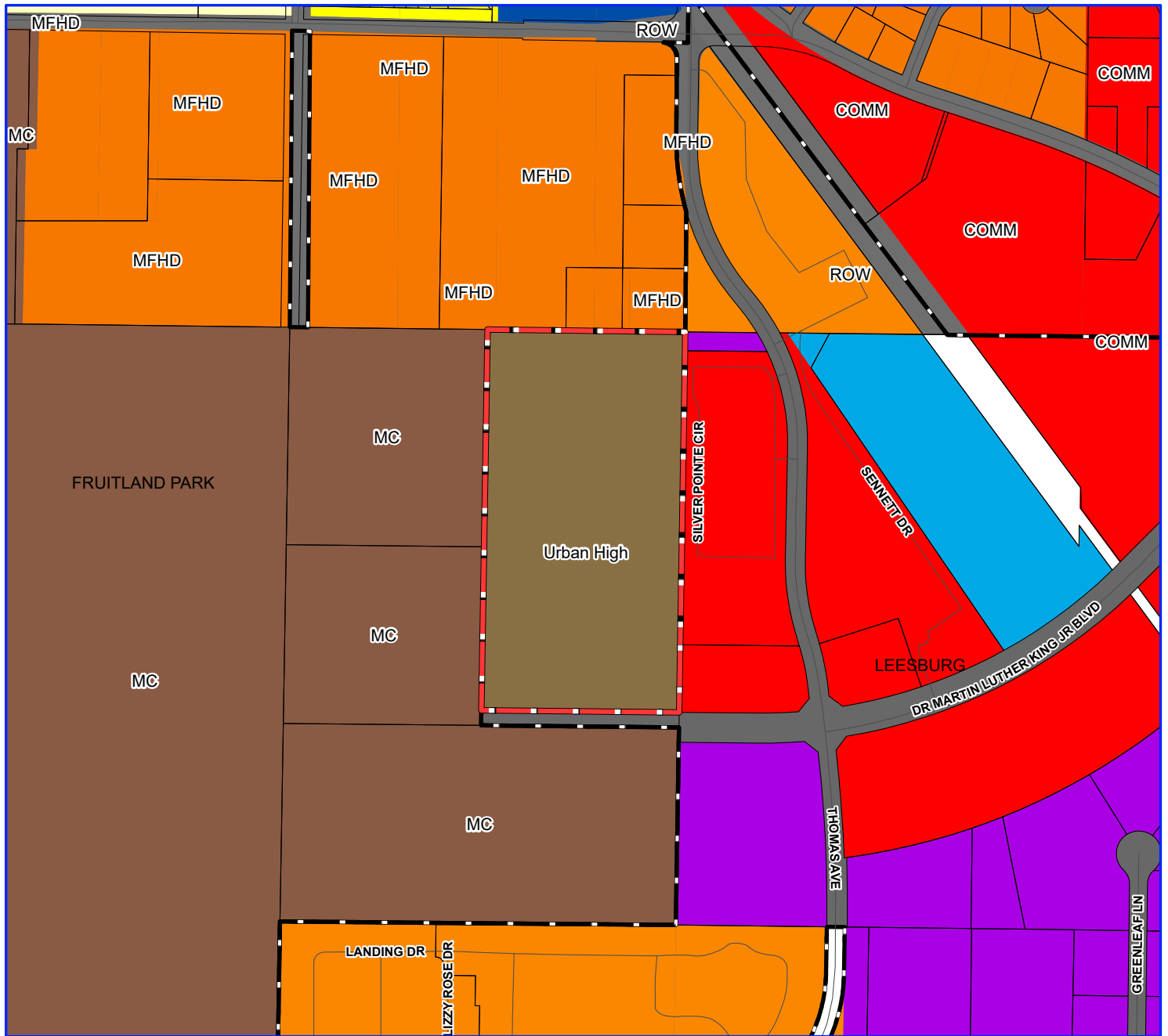

City of Fruitland Park
Park Square
 Lake County, Florida
Location Map

Project: 398-22-10
 File: Location
 Name: Park Square
 PM: Sherie Lindh
 Date: December 7, 2022
 Created By: J.Wilson


 1 inch = 1 miles



LPG Urban & Regional Planners, Inc.
 1162 Camp Avenue, Mount Dora, Florida 32757
 Office: (352) 385-1940 / Fax: (352) 383-4824



Legend

Site Boundary

City Limits

Lake County Future Land Use

Urban High Density

City of Fruitland Park Future Land Use

SFLD, Single Family Low Density

SFMD, Single Family Medium Density

MFHD, Multiple Family/High Density

COMM, Commercial

MC, Mixed Community

INST, Institutional

ROW, Transportation

City of Leesburg Future Land Use

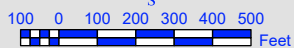
RIGHT-OF-WAY

GENERAL COMMERCIAL

INSTITUTIONAL

INDUSTRIAL

HIGH DENSITY

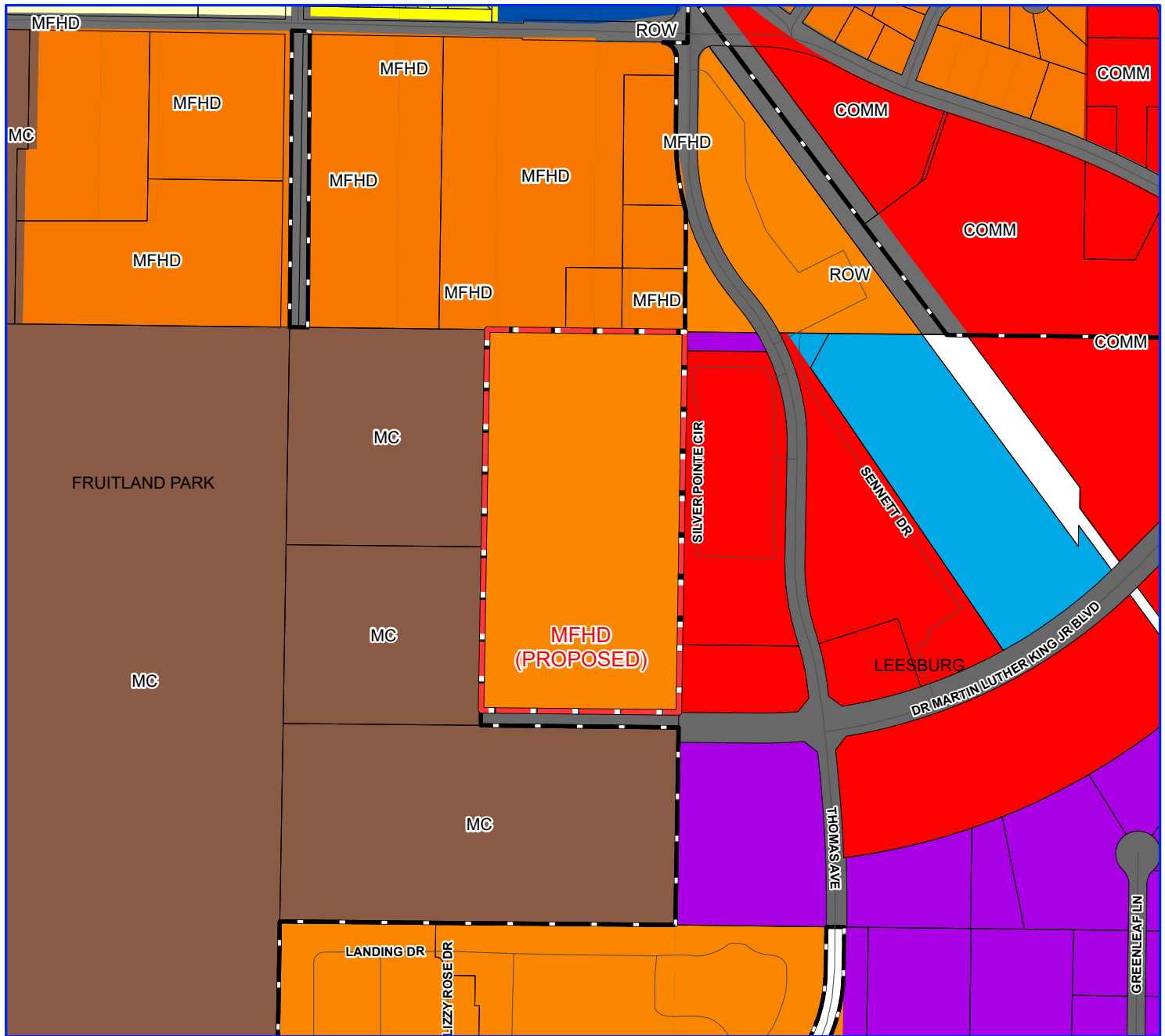


1 inch = 500 feet

**City of Fruitland Park
Park Square
Lake County, Florida
Existing Future Land Use Map**

Project: 398-22-10
File: Existing FLU
Name: Park Square
PM: Sherie Lindh
Date: December 7, 2022
Created By: J.Wilson





Legend

Site Boundary

City Limits

Lake County Future Land Use

Urban High Density

City of Fruitland Park Future Land Use

SFLD, Single Family Low Density

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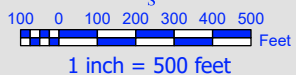
RIGHT-OF-WAY

GENERAL COMMERCIAL

INSTITUTIONAL

INDUSTRIAL

HIGH DENSITY



**City of Fruitland Park
Park Square
Lake County, Florida
Proposed Future Land Use Map**

Project: 398-22-10
File: Proposed FLU
Name: Park Square
PM: Sherie Lindh
Date: December 7, 2022
Created By: J.Wilson



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

ITEM TITLE: First Reading and Quasi-Judicial Public Hearing - Ordinance 2023-003 Rezoning - South of Urick Street and West of Thomas Avenue - Petitioner: Kimaya, LLC

MEETING DATE: Thursday, February 9, 2023

DATE SUBMITTED: Tuesday, January 17, 2023

SUBMITTED BY: City Attorney/City Manager/Community Development

BRIEF NARRATIVE: Ordinance 2023-003 rezoning to receive city services and develop a proposed subdivision including single family cottages, townhomes, and multi-family apartments. The Planning and Zoning Board at its January 19, 2023 meeting recommended approval.

FUNDS BUDGETED: None

ATTACHMENTS: Proposed Ordinance 2023-003, legal description, maps and revised site plan. (See Item 5f for staff report and advertising affidavit.)

RECOMMENDATION: It is highly recommended that a conceptual plan be submitted with the rezoning to R-10 and that adequate schools' determination or school concurrency reservation be submitted. The Planning and Zoning Board recommended approval at its January 19, 2023 meeting. (Postponed from January 26, 2023.)

ACTION:

ORDINANCE 2023-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 19.10 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) TO CITY OF FRUITLAND PARK R-10 WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Vishaal Gupta as applicant, on behalf of Kimaya, LLC as Owner, requesting that real property within the city limits of the City of Fruitland Park be rezoned from Lake County A to City Multi-Family Medium Density Residential (R-10) within the City limits of Fruitland Park; and

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

WHEREAS, the required notice of the proposed zoning 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 FRUITLAND PARK, FLORIDA, AS FOLLOWS:

Section 1. The following described property consisting of approximately 19.10 ± acres generally located South of Urick Street and west of Thomas Avenue as described and depicted as set forth on Exhibit "A" shall hereafter be designated as R-10 "Multi-Family Medium Density Residential" as defined in the Fruitland Park Land Development Regulations.

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

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

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

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

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

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2023.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, MMC, City Clerk

Anita Geraci-Carver, City Attorney

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

Passed First Reading _____
Passed Second Reading _____
(SEAL)

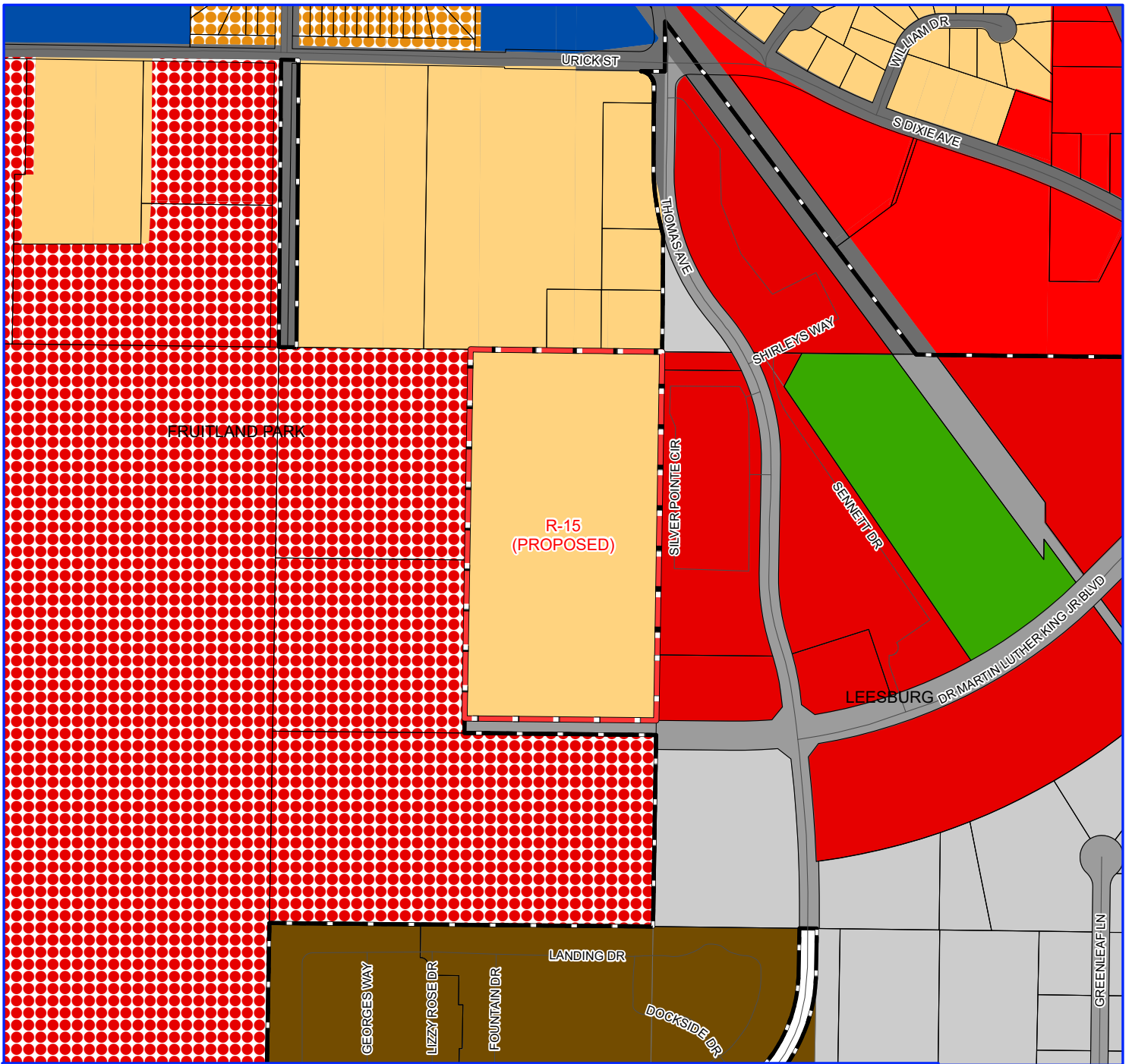
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THE EAST 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, SECTION 16,
TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.
LESS THE SOUTH 50 FEET THEREOF.

ALSO DESCRIBED AS:

BEGIN AT THE NORTHEAST CORNER OF SECTION 16, TOWNSHIP 19 SOUTH,
RANGE 24 EAST, LAKE COUNTY, FLORIDA THENCE S 00°53'57" E, ALONG THE
EAST LINE OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, A DISTANCE OF 1265.41
FEET; THENCE N 89°25'38" W, A DISTANCE OF 657.76 FEET, TO THE WEST LINE OF
THE EAST 1/2 OF THE NORTHEAST 1/4 OF NORTHEAST 1/4, THENCE N 00°55'00"
E, ALONG SAID WEST LINE, A DISTANCE OF 1266.62 FEET, TO THE NORTH LINE
OF THE NE 1/4 OF SAID SECTION 16; THENCE S 89°19'17" E, ALONG SAID NORTH
LINE, A DISTANCE OF 657.37' TO THE POINT OF BEGINNING.

EXHIBIT B



Legend

Site Boundary

City Limits

Lake County Zoning

Agriculture

City of Fruitland Park Zoning

R-15, Multi-Family Residential - High Density

C-2, General Commercial

PUD, Planned Unit Development

CPUD, Commercial Planned Unit Development District

PFD, Public Facilities District

ROW, Right-of-Way

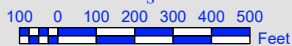
City of Leesburg Zoning

C-3

M-1

P

R-3

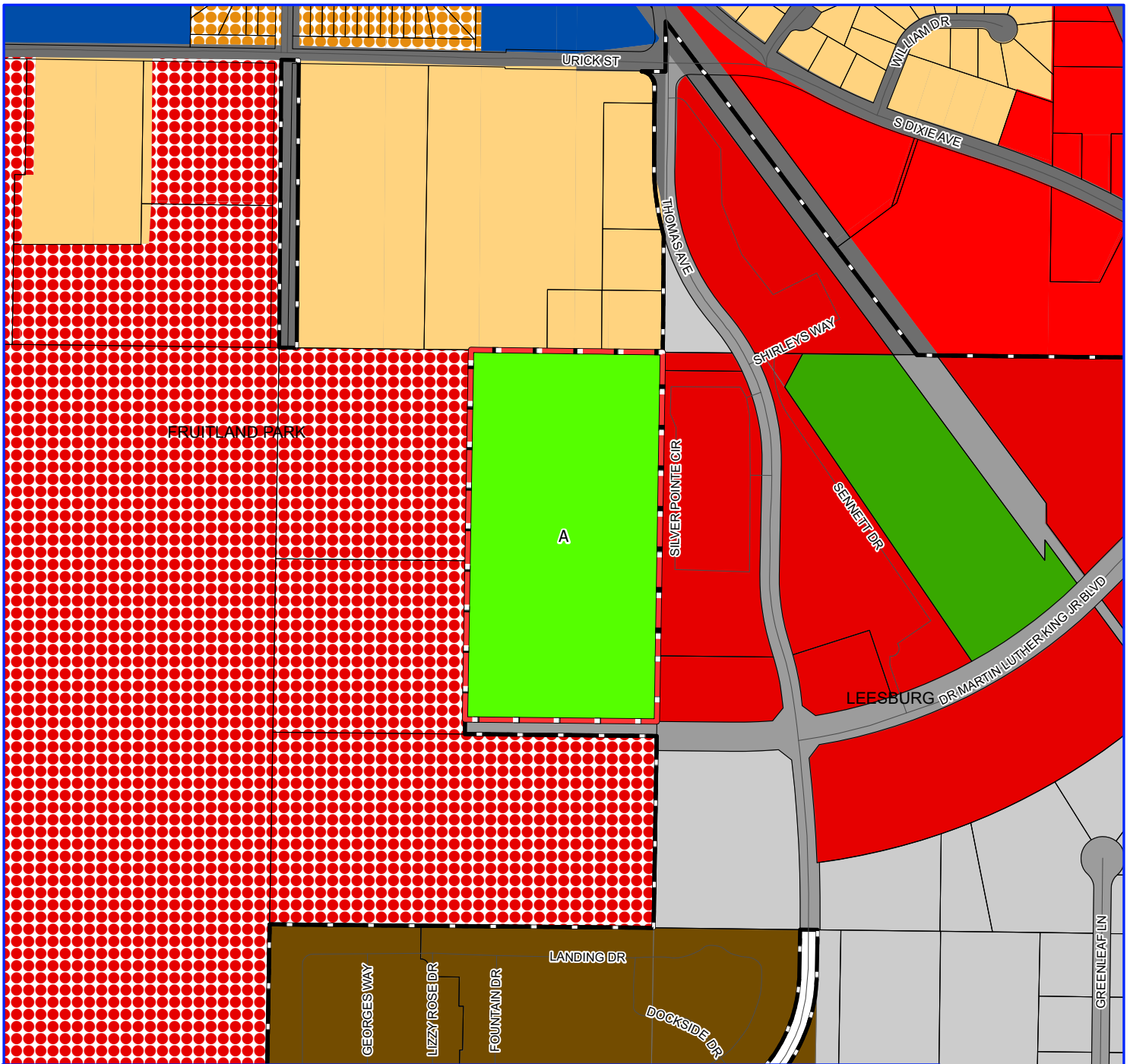


1 inch = 500 feet

**City of Fruitland Park
Park Square
Lake County, Florida
Proposed Zoning Map**

Project: 398-22-10
File: Proposed Zoning
Name: Park Square
PM: Sherie Lindh
Date: December 7, 2022
Created By: J. Wilson





Legend

Site Boundary

City Limits

Lake County Zoning

Agriculture

City of Fruitland Park Zoning

R-15, Multi-Family Residential - High Density

C-2, General Commercial

PUD, Planned Unit Development

CPUD, Commercial Planned Unit Development District

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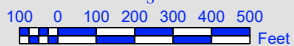
City of Leesburg Zoning

C-3

M-1

P

R-3



1 inch = 500 feet

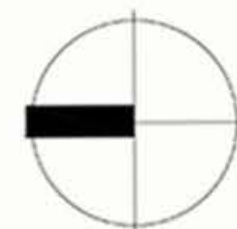
**City of Fruitland Park
Park Square**
Lake County, Florida
Existing Zoning Map

Project: 398-22-10
File: Existing Zoning
Name: Park Square
PM: Sherie Lindh
Date: December 7, 2022
Created By: J. Wilson





SITE PLAN
SCALE: 1" = 100'-0"



TOWNHOME SITE DATA

UNIT TYPE:

5 UNIT BUILDINGS - 9 (5 UNITS) = 45
 6 UNIT BUILDINGS - 16 (6 UNITS) = 96
 TOTAL UNITS = 141

PARKING

GUEST PARKING SPACES = 80

UNIT TYPE

UNIT A1a - 1 BEDROOM = 60 (21%)
 UNIT A1b - 1 BEDROOM = 18 (6%)
 UNIT AD1 - 1 BEDRM. DEN = 24 (8%)
 UNIT AD2 - 1 BEDRM. DEN = 24 (8%)
 UNIT B1 - 2 BEDROOM = 84 (29%)
 UNIT BD1 - 2 BEDRM. DEN = 66 (22%)
 UNIT C1 - 3 BEDROOM = 18 (6%)
 TOTAL UNITS = 294

BUILDING TYPE

TYPE I (42 UNITS) 3 STORY / 4 BLDGS. = 168 UNITS
 TYPE II (42 UNITS) 3 STORY / 3 BLDGS. = 126 UNITS
 TOTAL UNITS = 294 UNITS

PARKING

TOTAL OPEN PARKING SPACES = 561

561 SP/ 294 UNITS = 1.90 PARKING SP. PER UNIT

NO.	REVISIONS

SLOCUM PLATTS ARCHITECTS, P.A.
 RANDALL J. SLOCUM AR 13350 WILLIAM P. PLATTS AR 13262
 670 NORTH ORLANDO AVENUE, SUITE 1001 MAITLAND, FL 32751
 TEL. (407)645-3019 FAX (407)645-2771
 WWW.SLOCUMPLATTS.COM

WILLIAM P. PLATTS AR3362

SITE PLAN
FRUITLAND PARK APARTMENTS
 FLORIDA

DRAWN	
CAD	
CHECKED	
WJPP	
DATE	02-01-23
SCALE	AS NOTED
JOB NO.	22-022
SHEET	

A1.0

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

ITEM TITLE: CITY MANAGER'S REPORT

MEETING DATE: Thursday, February 9, 2023

DATE SUBMITTED: Thursday, February 2, 2023

SUBMITTED BY: City Manager

BRIEF NARRATIVE: City Manager's Report

Economic Development Status Update

FUNDS BUDGETED: None

ATTACHMENTS:

RECOMMENDATION:

ACTION: None

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

ITEM TITLE:	CITY ATTORNEY’S REPORT
MEETING DATE:	Thursday, February 9, 2023
DATE SUBMITTED:	Friday, February 3, 2023
SUBMITTED BY:	City Manager
BRIEF NARRATIVE:	City Attorney’s Report

City of Fruitland Park v. State of Florida – Department of Management Services: On February 16, 2022, the City provided wages and FRS calculations to attorney Thomas. The insurance company was provided the full invoice amount. The insurance company is communicating directly with the Department of Management Services as to the amount due. In November DMS provided additional information to the insurance company and updated FRS calculations were obtained. Work consistent with direction of the Commission continues.

Michael and Laurie Fewless v. City of Fruitland Park, Lake County Case No. 2020-CA-000104 (Judge Welke): On December 9, 2021 Plaintiff filed an Amended Complaint. Pre-trial conference is scheduled for April 3, 2023 and trial on April 17, 2023. On August 18, 2022 Plaintiffs served the City with a Proposal for Settlement a copy of which has been provided to the Commission. On August 31, 2022 Attorney Thomas provided information requested by the City’s insurance company. Mediation scheduled to take place virtually at 10:00 AM on Thursday, January 19, 2023 was cancelled. Work consistent with direction of the Commission continues.

U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845 (Judge Baxley): The property owner’s lender is foreclosing on the property for non-payment of approximately \$33,204.15. The property is located at 412 Sunny Court, Fruitland Park. The City has a code enforcement lien on the property. As of June 17, 2022 the fines have accrued to \$23,350.00 and outstanding costs of \$117.04. Attorney Mark K. McCulloch, Roper & Roper, P.A. has been appointed by the City’s insurance company to defend the City. The City’s Answer to the Complaint was filed June 22, 2022. On June 23, 2022 Judge Baxley entered a Differentiated Civil Case Management Order as to Streamlined case types. The Order requires a non-jury trial to occur no later than 12 months from filing the original Complaint, if not sooner resolved. The trial must be held by May 10, 2023. On July 29, 2022 the Plaintiff’s Motion for Leave to Amend Complaint was granted by the Court. A Guardian Ad Litem was ordered to represent those who may have an interest in the property due to Mr. Moore’s death. The Guardian Ad Litem filed an answer on their behalf on November 14, 2022. On November 14, 2022 the Guardian filed an answer. On January 3, 2023 Plaintiff filed a Motion for Summary Judgment. A hearing has been scheduled for March 9, 2023 at 8:45 AM via Zoom. Attorney McCullouch reached out to me on February 2, 2023. I will be discussing the case with him the week of February 6th and will provide an update at the Commission meeting.

Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628: The City was served with a lawsuit on September 8, 2022. A copy has been provided to the Commission. Plaintiffs file a two-count Verified Complaint. Count I – Inverse Condemnation

and Count II – Trespass. Plaintiffs allege the City’s construction of the library has caused storm water to flood across Rose Avenue onto their property located at 100 Rose Ave., Fruitland Park and have converted their property into a storm water retention system. Public Risk Management (PRM) retained attorney Donovan A. Roper and Mark K. McCulloch of Roper & Roper, P.A. to defend the City. An answer and affirmative defenses were filed on behalf of the City. On October 27, 2022 Plaintiff filed a reply to the City’s affirmative defenses. A Civil Case Management Order Requiring Disclosures was entered by Judge Takac. The Order requires a non-jury trial to occur no later than 18 months from filing the original Complaint, if not sooner resolved. The trial must be held by March 2, 2024. No further action has been taken since October 27, 2022.

Code of Ordinances Codification: Based on staff input on the various outstanding code provisions, on January 26th I provided a response to CivicPlus so they can provide the final manuscript for adoption. Since that date I have received further input from staff and will be providing additional comments to CivicPlus the week of February 6th.

Kaitlin Delong vs. City of Fruitland Park, Lake County Case No. 2022-CA-00463: Plaintiff filed a lawsuit against the City alleging damages resulting from a motor vehicle crash between a vehicle Plaintiff was operating and a marked Fruitland Park Police Department vehicle. The City was served June 30, 2022. Insurance assigned Roper & Roper to defend the City. An Answer and Affirmative Defenses were filed on July 22, 2022. Discovery has been ongoing. A Case Management Order was entered August 26, 2022. Trial is scheduled on the trial docket beginning February 19, 2024. The Plaintiff’s deposition is scheduled for March 2, 2023 at 10:00 a.m. Outstanding medical costs are \$35,222.85.

FUNDS BUDGETED: None
ATTACHMENTS:
RECOMMENDATION:
ACTION: None

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

ITEM TITLE: Public Comments

MEETING DATE: Thursday, February 9, 2023

DATE SUBMITTED: Thursday, February 2, 2023

SUBMITTED BY: City Clerk

BRIEF NARRATIVE: **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.

FUNDS REQUIRED: None

ATTACHMENTS:

RECOMMENDATION: None

ACTION: None