

**FRUITLAND PARK CITY COMMISSION  
REGULAR MEETING AGENDA**

**February 23, 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 – Ms. Rosalind Peoples, Mount Pleasant African Methodist Episcopal Church

Pledge of Allegiance – Police Chief Erik 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)

February 9, 2023 regular

**4. REGULAR AGENDA**

**(a) Resolution 2023-015 – Urick Street Force Main – 28-Day Construction Time Extension – Cathcart Construction Company Florida LLC, Oviedo** (city attorney/city manager/public works director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING 28-DAY EXTENSION TO CONSTRUCTION TIME REQUESTED BY CATHCART CONSTRUCTION COMPANY FLORIDA LLC, OVIEDO; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY REQUIRED APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

- (b) **Resolution 2023-016 Urick Street Force Main Extension Project Contract Change Order #2 – Cathcart Construction Company Florida LLC, Oviedo** (city attorney/city manager/public works director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CHANGE ORDER NO. 2 THAT INCLUDES A THREE-DAY EXTENSION TO CONSTRUCTION TIME AND INCREASE OF \$13,111 IN THE CONTRACT PRICE REQUESTED BY CATHCART CONSTRUCTION COMPANY FLORIDA LLC, OVIEDO; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY REQUIRED APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

- (c) **Resolution 2023-017 Civil Engineering and Surveying Services - CR 466A Phase 3B Utility Adjustments – Halff Associates Inc.** (city attorney/city manager/public works director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AGREEMENT/PROPOSAL FOR CR 466A PHASE 3B UTILITY ADJUSTMENTS DATED FEBRUARY 14, 2023 FROM HALFF IN AN AMOUNT NOT TO EXCEED \$83,600.00 FOR ENGINEERING, SURVEYING, PERMITTING, ADMINISTRATIVE, BIDDING AND CONSTRUCTION ADMINISTRATION SERVICES AND REIMBURSABLES; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

#### **PUBLIC HEARING**

- (d) **Second 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 first reading was held on February 9, 2023.)

**END OF PUBLIC HEARING**

- 5. (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. Fruitland Park Official City Code**

**6. UNFINISHED BUSINESS**

**7. PUBLIC COMMENTS**

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

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

**8. COMMISSIONERS’ COMMENTS**

- (a) Commissioner Mobilian**
- (b) Commissioner Bell**
- (c) Commissioner Gunter**
- (d) Vice Mayor DeGrave**

**9. MAYOR’S COMMENTS**

**2023 Community Service Award Nomination**

## **10. ADJOURNMENT**

### **DATES TO REMEMBER**

- March 4, 2023 Family Camp Out, Northwest Lake Soccerfield, 300 Shiloh Street, Fruitland Park, Florida 34731 at 5:00 p.m.;
- March 9, 2023, City Commission regular at 6:00 p.m.;
- March 10, 2023, Lake County League of Cities, *St John's River Water Management District Projects*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida at 12:00 p.m.;
- March 17, 2023, Comedy Night, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- March 23, 2023, City Commission regular at 6:00 p.m.;
  
- April 1, 2023, Mommy and Son Mess, Northwest Lake Soccerfield, 300 Shiloh Street, Fruitland Park, Florida 34731 at 10:00 a.m.;
- April 13, 2023, City Commission regular at 6:00 p.m.;
- April 21, 2023, Comedy Night, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- April 26, 2023, Lake~Sumter Metropolitan Planning Organization, Governing Board Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida at 2:00 p.m.;
- April 27, 2023, City Commission regular at 6:00 p.m.;

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

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

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

**PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE**



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

**ITEM TITLE:** Draft Meeting Minutes

**MEETING DATE:** Thursday, February 23, 2023

**DATE SUBMITTED:** Friday, February 17, 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**

February 9, 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  
February 9, 2023**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, February 9, 2023, at 6:00 p.m.

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

**Also present:** City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce, Public Works Director Robb Dicus; Interim Community Development Director Michael “Mike” Rankin; Deputy Finance Director Gary Bachman; Lieutenant. Eddie Johnson and Firefighter John Pawlowski, Lake County Fire Rescue, Station 56; 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; Pastor Ben Spangler, Community United Methodist Church, gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:00:07 p.m. No action was taken.

**2. ROLL CALL**

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

**3. CONSENT AGENDA**

**Approval of Minutes**

January 26, 2023 regular meeting

ACTION 6:02:24 p.m. **On motion made by Commissioner Mobilian, seconded by Commissioner Gunter and unanimously carried, the city commission approved the previously cited consent agenda.**

**4. LOCAL PLANNING AGENCY**

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

ACTION 6:02:40 p.m. **By unanimous consent, the city commission recessed its meeting at 6:03 p.m. to the local planning agency and reconvened at 6:06 p.m.**

**5. REGULAR AGENDA**

**(a) Resolution 2023-012 Soccer Field BT 2023-003 – FY 2022-23 Budget Amendment**

Ms. Geraci-Carver read into the record the following title of proposed 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.

**ACTION:** 6:06:16 p.m. After discussion a **motion was made by Commissioner Gunter and seconded by Vice Mayor DeGrave that the city commission adopt Resolution 2023-012 as previously cited.**

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

**(b) Resolution 2023-013 Public Safety Building BT 2023-004 – FY 2022-23 Budget Amendment**

Ms. Geraci-Carver read into the record the following title of proposed 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.

**ACTION:** 6:07:48 p.m. After discussion a **motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian, that the city commission adopt Resolution 2023-013 as previously cited.**

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

**(c) Resolution 2023-014 Gazebo and Installation for Fruitland Park Community Center’s Courtyard FY 2022-23 Budget Amendment**

Ms. Geraci-Carver read into the record the following title of proposed 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.

**ACTION:** 6:09:15 p.m. After discussion, a **motion was made by Commissioner Mobilian and seconded by Commissioner Gunter that the city commission adopt Resolution 2023-014 as previously cited.**

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

**(d) Resolution 2023-005 LPG Proposal**

Ms. Geraci-Carver read into the record the following title of proposed 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 UPDATE IN AN AMOUNT NOT TO EXCEED \$40,000; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

**ACTION:** 6:10:31 p.m. After much discussion, a **motion was made by Commissioner Mobilian and seconded by Commissioner Gunter, that the city commission adopt Resolution 2023-005 as previously cited.**

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

**PUBLIC HEARING**

**By unanimous consent, Mayor Cheshire opened the public hearings.**

**(e) First Reading and Public Hearing Ordinance 2023-005 Solid Waste Rate Increase**

After Ms. Geraci-Carver read into the record the title of proposed Ordinance 2023-005, Mayor Cheshire called for interested parties to be heard:

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.)

**ACTION:** 6:14:54 p.m. After discussion, a **motion was made by Commissioner Mobilian and seconded by Commissioner Gunter that the city commission approve Ordinance 2023-005 as previously cited.**

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

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

**(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**

The city commission considered its action on proposed Ordinance 2023-001, the substance of which is as follows:

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. (Continued from January 26, 2023.)

**ACTION:** 6:17:38 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission continue its action on proposed Ordinance 2023-001, as opined by the city attorney, until the proper notice requirements in compliance with the statutory laws are met.**

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

The city commission considered its action on Ordinance 2023-002, the substance of which is as follows:

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: 6:18:03 p.m. On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission continue its action on proposed Ordinance 2023-002, as opined by the city attorney, until the proper notice requirements in compliance with the statutory laws are met.**

**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**

The city commission considered its action on Ordinance 2023-003, the substance of which is as follows:

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:** 6:18:29 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission continue its action on proposed Ordinance 2023-002, as opined by the city attorney, until the proper notice requirements in compliance with the statutory laws are met.**

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**END OF PUBLIC HEARING**

**6. (a) City Manager**

**i. Economic Development Status Update**

Mr. Rankin stated that he had nothing to report on economic development.

**ACTION:** 6:18:54 p.m. No action was taken.

**(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:** 6:19:01 p.m. No action was taken.

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

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

**ACTION:** 6:19:01 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**

With respect to the U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845, Ms. Geraci-Carver relayed her conversations earlier this day with the foreclosure attorney (who is defending the city).

Ms. Geraci-Carver gave reasons why Mr. Moore was not served as he is deceased; indicated that an individual has been retained (the court-appointed a guardian ad litem) who found one heir, Mr. Moore's brother, and referred to the January 13, 2023 Order of Dismissal of Mr. Robert T.

Moore (identified as the mortgage holder and property owner) which the attorney believed the process was improperly carried out; thus, the attorney plans to contact the plaintiff(s)' counsel.

Ms. Geraci-Carver indicated that she does not know the outcome of the subject matter; recognized the city's interests that the funds, if any remains, could be earmarked towards the accrued fines; thus, the benefit for the property to be acquired by someone else, and addressed her intent to keep the city commission apprised.

ACTION: 6:19:01 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 No. 2022-CA-1628.

ACTION: 6:19:01 p.m. No action was taken.

**v. Code of Ordinances Codification**

Ms. Geraci-Carver had nothing to report on the code of ordinances codification.

ACTION: 6:19:01 p.m. No action was taken.

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

Ms. Geraci-Carver had nothing to report on the Kaitlyn Delong Case No. 2022-CA-00463.

ACTION: 6:19:01 p.m. No action was taken.

**7. UNFINISHED BUSINESS**

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

ACTION: 6:20:33 p.m. No action was taken.

**8. PUBLIC COMMENTS**

There were no comments from the public at this time.

ACTION: 6:20:34 p.m. No action was taken.



**9. COMMISSIONERS' COMMENTS**

**(a) Commissioner Mobilian**

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

ACTION: 6:20:57 p.m. No action was taken.

**(b) Commissioner Bell**

Commissioner Bell stated he will be attending the Lake County League of Cities' meeting on February 10 and the Lake County Parks, Recreation and Trails Advisory Board meeting on February 13, 2023.

ACTION: 6:21:01 p.m. No action was taken.

**(b) Commissioner Gunter, Jr.**

Commissioner Gunter referred to the recent construction of an access road on Urick Street within proximity of Fruitland Park Congregation Church.

ACTION: 6:22:02 p.m. No action was taken.

**(d) Vice Mayor DeGrave**

Vice Mayor DeGrave stated he had nothing to report at this time.

ACTION: 6:22:57 p.m. No action was taken.

**10. MAYOR'S COMMENTS**

**(a) Dates to Remember**

Mayor Cheshire announced the following events:

- February 10, 2023, LCLC, TBD, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida at noon;
- February 11, 2023, 5k Love Run, Fruitland Park Community Center, 205 West Beckman Street, Fruitland Park, Florida 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 at 3:30 p.m.;
- February 17, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida at 8:00 p.m.;
- February 22, 2023, Lake~Sumter Metropolitan Planning Organization, Governing Board Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida at 2:00 p.m.;
- February 23, 2023, City Commission regular meeting 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 17, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida at 8:00 p.m.;
- March 23, 2023, City Commission regular meeting at 6:00 p.m.;

- March 25, 2023, Fruitland Park Day with BBQ Cook Off, Berckman Street, Fruitland Park, Florida at 10:00 a.m.

ACTION: 6:23:02 p.m. No action was taken.

**(b) Body Camera**

Upon Mayor Cheshire's request, Chief Luce described the new and recently purchased body camera that he is wearing (contracted with Axon Enterprise Inc.); reported on the police department training held earlier this day and relayed that it was well received by the department.

ACTION: 6:23:41 p.m. No action was taken.

**11. ADJOURNMENT**

The meeting adjourned at 6:27 p.m.

The minutes were approved at the February 23, 2023, regular meeting.

Signed  
Esther B. Coulson, City Clerk, MMC

Signed  
Chris Cheshire, Mayor

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

**ITEM TITLE:** Resolution 2023-015 Urick Street Force Main Extension Project Contract 28-Day Construction Time Extension - Cathcart Construction Company

**MEETING DATE:** Thursday, February 23, 2023

**DATE SUBMITTED:** Monday, February 13, 2023

**SUBMITTED BY:** City Attorney/City Manager/Public Works Director

**BRIEF NARRATIVE:** Resolution 2023-015 – The city commission at its May 12, 2022 regular meeting approved the competitive Invitation to Bid 2021-04 from Cathcart Construction Company Florida LLC. This is a request for a time extension to the Urick Street Force Main EJDC Standard Form of Agreement with Cathcart.

The contractor has completed installing the job and this is a housekeeping item to formally approve an extension to the contract's timeline where they are requesting another 28 days because of an unforeseen leak in the system that was eventually found to be the cause of the bore pipe subcontractor who had made a bad fusion joint that was pulled under a road. The contractor had to locate the leak which delayed pressure testing of the system.

**FUNDS REQUIRED:** None.

**ATTACHMENTS:** Proposed Resolution 2023-015 and January 31 request letter from Cathcart and the February 10, 2023 recommendation of approval letter from Halff Associates Inc.

**RECOMMENDATION:** The job was certified for substantial completion as of February 1, 2023 and the contractor would have completed the job by the time of this commission meeting. Staff recommends approval as a housekeeping matter to the contract and sees no reason why the extension should not be granted since the project is complete other than distributing retainage money and it did not hold up any projects that may have been coming forward.

**ACTION:** Adopt Resolution 2023-015

**RESOLUTION 2023-015**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING 28-DAY EXTENSION TO CONSTRUCTION TIME REQUESTED BY CATHCART CONSTRUCTION COMPANY FLORIDA LLC, OVIEDO; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY REQUIRED APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Fruitland Park issued ITB 2021-04 Urick Street Force Main and entered into that certain contract titled EJCDC Standard Form of Agreement between owner and contractor on the basis of a stipulated price between the City of Fruitland Park and Cathcart Construction Company Florida LLC, Oviedo dated May 9, 2022 (the “Contract”); and

**WHEREAS**, the contract time was previously extended in order to obtain critical materials; and

**WHEREAS**, Cathcart Construction Company Florida LLC Oviedo submitted a request for a 28-day extension of the construction time based on an unforeseen flaw in the directional drill pipe and the time involved in investigating and resolving the issue; and

**WHEREAS**, the delay did not adversely affect the city or any development that will use the utility improvements, and the city’s engineer has recommended approval of the extension; 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 28-day extension to construction time.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The construction time set forth in the contract is extended 60 days.

Section 2. The commission authorizes the city manager to execute any required approval of such extension.

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 23<sup>rd</sup> 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

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CHRIS CHESHIRE, MAYOR

ATTEST:

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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:

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Anita Geraci-Carver, City Attorney



VIA EMAIL DELIVERY

February 10, 2022

Gary La Venia  
City Manager  
506 W Berckman Street  
Fruitland Park, FL 32778

RE: **URICK STREET FORCEMAIN EXTENSION**  
Extension of Contract Time No. 2

Dear Mr. La Venia,

The Contractor (Cathcart Construction Company) has requested a 28-day extension to the construction time outlined in the *EJCDC Standard Form of Agreement Between the Owner and Contractor on the Basis of a Stipulated Price*. The requested extension is based on the unforeseen flaw in the directional drill pipe. Their request, dated January 31, 2023, is attached.

We recommend approval of extension of the contract time. Please feel free to contact our office at (352) 343-8481 should you have any questions with regards to this matter.

Sincerely,  
HALFF Associates, Inc.

A handwritten signature in blue ink, appearing to read "Troy Mitchell", is written over a faint, light blue grid background.

Troy Mitchell, P.E. Project Engineer  
[troy.mitchell@halff.com](mailto:troy.mitchell@halff.com)

cc. David Boone, Cathcart Construction  
Robb Dicus, City of Fruitland Park



**A Safety Company That Builds Infrastructure Projects**

1056 Willa Springs Drive, Winter Springs, Florida 32708

January 31, 2023

Mr. Troy Mitchell, PE  
Halff Associates, Inc.  
902 Sinclair Avenue  
Tavares, FL 32778

RE: Urick Street Force Main Extension – Time Extension Request

Dear Mr. Mitchell,

Please accept this letter as our formal request for an extension of contract time due to the unforeseen flaw in the directional drill pipe.

Additional time of twenty-eight (28) days is being requested per the following:

- 1/9/2023 – Pressurized line would not hold.
- 1/10/2023 – Began process to isolate line segments. This involved excavation at each pipe joint.
- 1/16/2023 – Installed valves to isolate directional drill pipe.
- 1/17/2023 – Isolated leaking segment of directional drill pipe between Station 102+65 – STA 98+12.
- 1/17/2023 – Scheduled K3 Directional Drilling
- 1/27/2023 – Removed suspect directional drill pipe and found defect.
- 1/27/2023 – Pulled new directional drill pipe.
- 1/28/2023 – Tied back both ends and filled to City pressure and held.
- 1/30/2023 – Began restoration.

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

Thank you,

A handwritten signature in blue ink, appearing to read 'David Boone', written over a light blue horizontal line.

David Boone  
Senior Project Manager

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

**ITEM TITLE:** Resolution 2022-016 Urick Street Force Main Extension Project Contract Change Order #2 – Cathcart Construction Company

**MEETING DATE:** Thursday, February 23, 2023

**DATE SUBMITTED:** Friday, February 17, 2023

**SUBMITTED BY:** City Attorney/City Manager/Public Works Director

**BRIEF NARRATIVE:** Resolution 2023-016 – Change Order #2 increases the contract with Cathcart Construction Company Florida LLC, Oviedo; by \$13,111.00 mostly due to a match line overlap in the engineered drawings that were sent out for bid that caused an additional 173 feet of 12” bore pipe to be needed to complete the job. This bust in the drawings was not picked up until the contractor had installed the pipe and noticed that they did not have enough pipe to complete other parts of the job. The additional cost of the 173 feet of pipe based off the bid amount was \$25,950.00 which was brought down to \$13,111.00 by other deductive changes to the project that the city staff was able to take out of the project. These changes are all listed in the included change order documentation.

**FUNDS REQUIRED:** \$13,111.00 (40535-60655) “Urick”

**ATTACHMENTS:** Proposed Resolution 2023-016 and change order documentation.

**RECOMMENDATION:** Staff recommends approval of the change order. All changes as documented have been reviewed and are in-line with the field work installed.

**ACTION:** Adopt Resolution 2023-016



## **RESOLUTION 2023-016**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CHANGE ORDER NO. 2 THAT INCLUDES A THREE-DAY EXTENSION TO CONSTRUCTION TIME AND INCREASE OF \$13,111 IN THE CONTRACT PRICE REQUESTED BY CATHCART CONSTRUCTION COMPANY FLORIDA LLC, OVIEDO; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY REQUIRED APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Fruitland Park issued ITB 2021-04 Urick Street Force Main and entered into that certain contract titled EJCDC Standard Form of Agreement between owner and contractor on the basis of a stipulated price between the City of Fruitland Park and Cathcart Construction Company Florida LLC, Oviedo dated May 9, 2022 (the “Contract”); and

**WHEREAS**, it is necessary to increase the contract price by \$13,111 because the station numbering error at Matchline JJ Sheet 8 and Matchline JJ sheet 9 resulted in the need for additional materials, an open cut was required due to existing watermain crossing conflict at unknown location and unknown depth, and direction by staff for consistency of material throughout the system; and

**WHEREAS**, the contract time was previously extended in order to obtain critical materials; and

**WHEREAS**, Cathcart Construction Company Florida LLC Oviedo submitted a request for a three-day extension of the construction time based on an unforeseen flaw in the directional drill pipe and the time involved in investigating and resolving the issue; and

**WHEREAS**, the delay did not adversely affect the city or any development that will use the utility improvements, and the city’s engineer has recommended approval of the extension; 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 three-day extension to construction time.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The contract time set forth in the contract is extended three days and the contract price is increased by \$13,111 for a total contract price of \$2,640,218 (inclusive of Change Order No. 1).

Section 2. The Commission authorizes the city manager to execute any required approval of such extension including Change Order No. 2, a copy of which is attached hereto.

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 23<sup>rd</sup> 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

**SECTION 00843  
CHANGE ORDER FORM**

PROJECT: **City of Fruitland Park - Urlick Street Force Main Extension**

CHANGE ORDER NO. 02

DATE OF ISSUANCE: \_\_\_\_\_

CONTRACTOR: Cathcart Construction Company - Florida, LLC

EFFECTIVE DATE: \_\_\_\_\_

ENGINEER: BESH Halff, Inc.

The following changes are hereby made to the Contract Documents:

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price  \$ <u>2,608,685</u>	Original Contract Times  Substantial Completion: <u>150</u> Ready for Final Payment: <u>180</u>  days or dates
Net changes from previous Change Orders  \$ <u>18,422</u>	Net change from previous Change Orders  <u>-0-</u>  days
Contract price prior to this Change Order  \$ <u>2,627,107</u>	Contract Times prior to this Change Order  Substantial Completion: <u>150</u> Ready for Final Payment: <u>180</u>  days or dates
Net Increase (decrease) of this Change Order  \$ <u>13,111</u>	Net Increase (decrease) of this Change Order  <u>3 Days</u>  days
Contract Price with all approved Change Orders  \$ <u>2,640,218</u>	Contract Times with all approved Change Orders  Substantial Completion: <u>153</u> Ready for Final Payment: <u>183</u>  days or dates

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CHANGES ORDERED

I. GENERAL This change order is necessary to cover changes in the work to be performed under this contract. The General Conditions, Supplementary Conditions, Specifications and all parts of the Project Manual listed in Article 1, Definitions, of the General Conditions apply to and govern all work under this change order.

Change Order No. 2

II. REQUIRED CHANGES:

CO 2A: Add 173 LF of 12" Directional Drill due to Station numbering error at Matchline JJ Sheet 8 and Matchline JJ Sheet 9.  
STA 63+76 - STA 62+03 = 173 LF, See attached Sheets 8 & 9 and K3 Directional drill log.

CO 2B: Eliminate (1) ARV at Pine Ridge Dairy

CO 2C: Change 12" Directional Drill to 10" PVC C900, DR 18. Open cut and roadway repair.

CO 2D: Change 10" DIP Force Main material to 10"C900 Force Main PVC at Poinsettia Ave, Rose Ave and Lewis St.

The original version of CO 2C had a deduct for 2 ARVs that the Contractor was not going to installed given the open cut installation. However, it was determined that the two ARVs should be installed which is accounted for in this version of the Change Order (by removing the deduction).

III. JUSTIFICATION:

CO 2A: Station number discontinuity at Matchline JJ Sheet 8 and Matchline JJ Sheet 9.

CO 2B: At Pine Ridge Dairy, there was insufficient space to install two ARVs.

CO 2C: Open cut required due to existing watermain crossing conflict at unknown location and unknown depth.

CO 2D: At Robb Dicus's direction. Consistency of material throughout the system.

IV. PAYMENT:

This change order will increased the Contract Price by \$13,111.00 per the attached.

See attached pricing sheets.

V. APPROVAL AND CHANGE AUTHORIZATION:

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Acknowledgements:

The aforementioned change, and work affected thereby, is subject to all provisions of the original contract not specifically changed by this Change Order; and

It is expressly understood and agreed that the approval of the Change Order shall have no effect on the original contract other than matters expressly provided herein.

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Change Order Requested by: Troy Mitchell, Robb Dicus and Cathcart Construction Company

Change(s) Ordered by: \_\_\_\_\_

RECOMMENDED BY:

BESH, Halff, Inc. \_\_\_\_\_

By: \_\_\_\_\_  
(Authorized Signature) (Date)

\_\_\_\_\_  
(Title)

ACCEPTED BY:

  
CATHCART CONSTRUCTION COMPANY - FLORIDA, LLC

By: \_\_\_\_\_ *2/7/23*  
(Authorized Signature) (Date)

**Matt T. Blanton, President**

\_\_\_\_\_  
(Title)

APPROVED BY:

City of Fruitland Park  
(Owner)

By: \_\_\_\_\_  
Name and Title (Date)

By: \_\_\_\_\_  
\_\_\_\_\_, Clerk (Date)

END OF SECTION

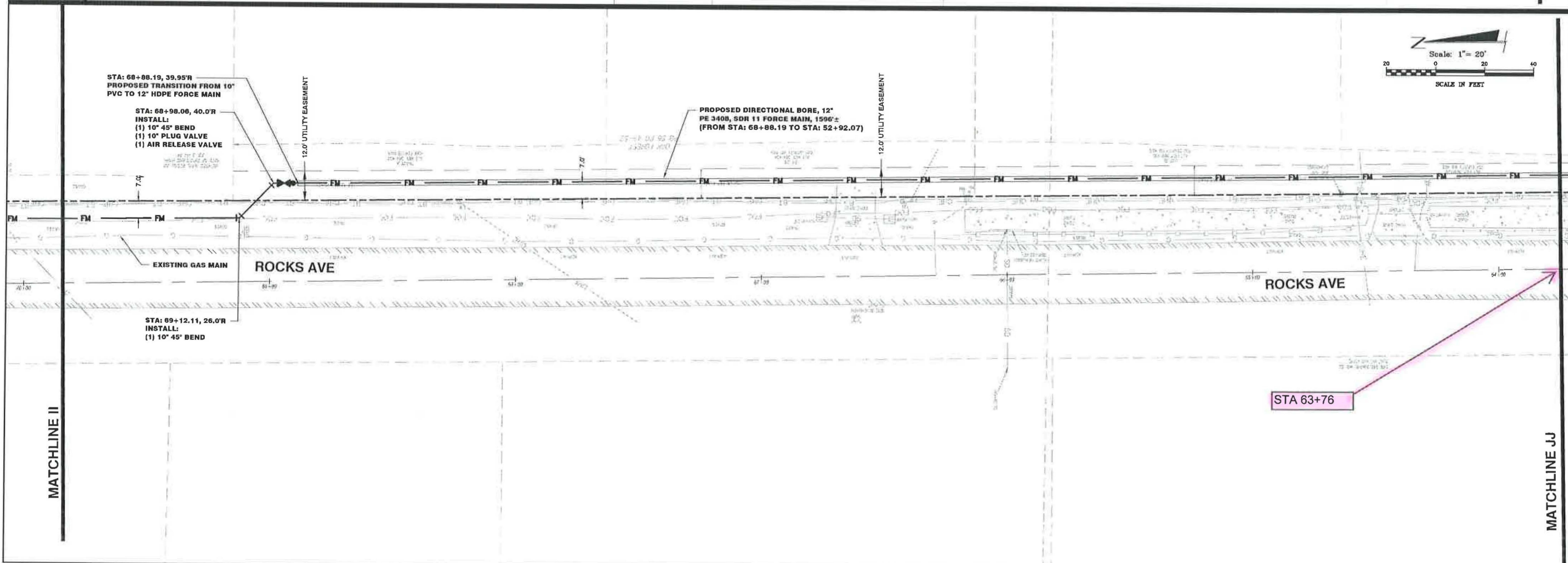
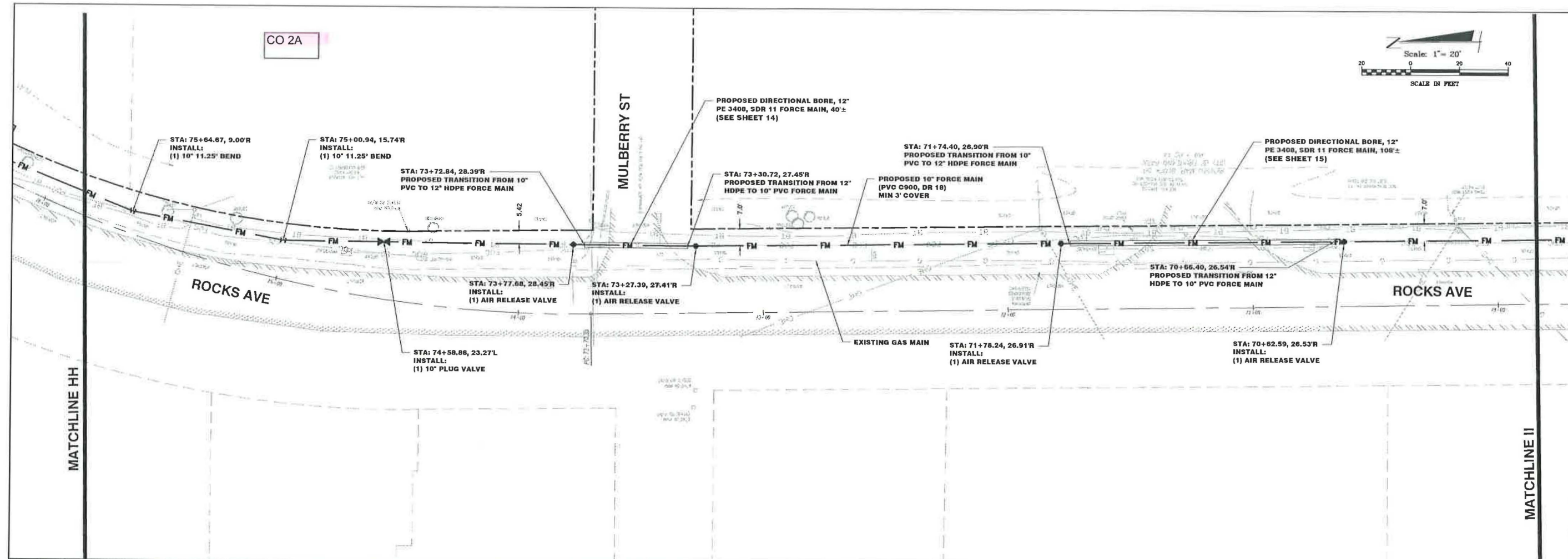












DATE	REVISION

CITY OF FRUITLAND PARK  
URICK STREET FORCE MAIN  
EXTENSION  
PLAN SHEET  
ROCKS AVENUE



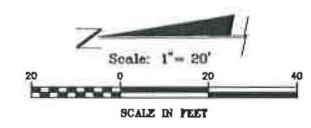
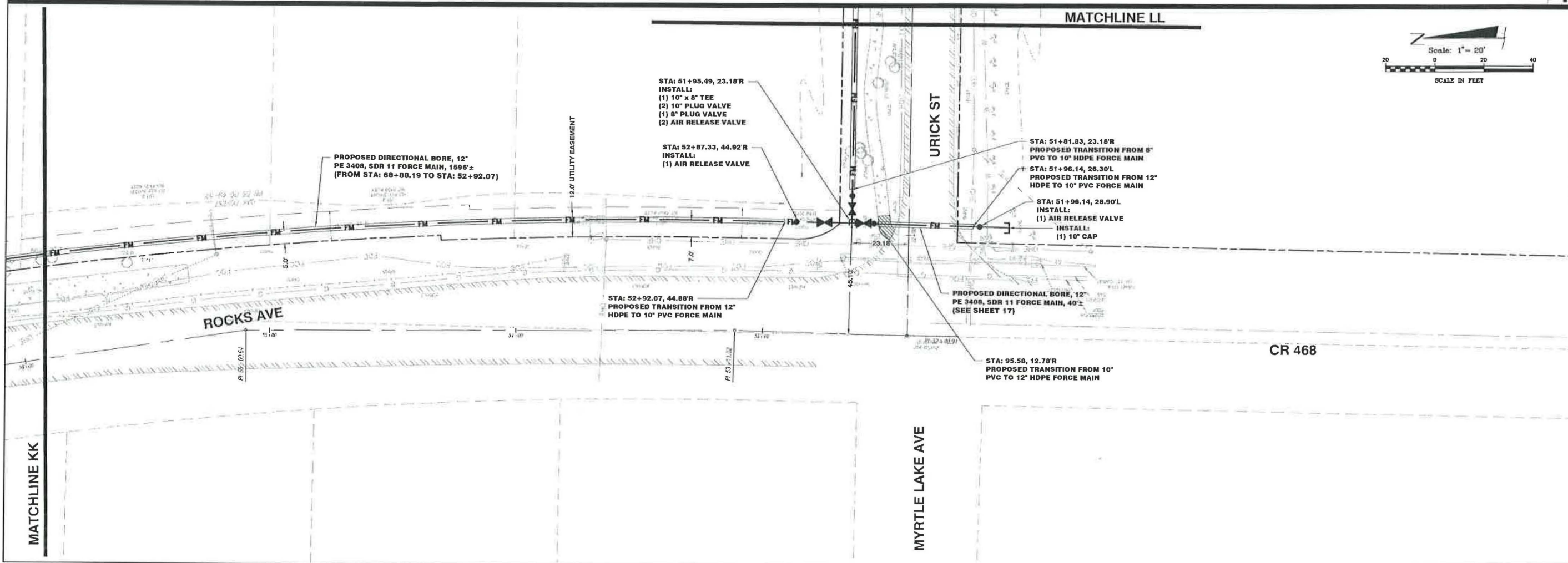
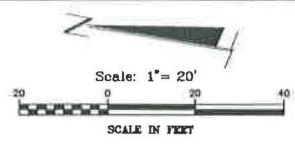
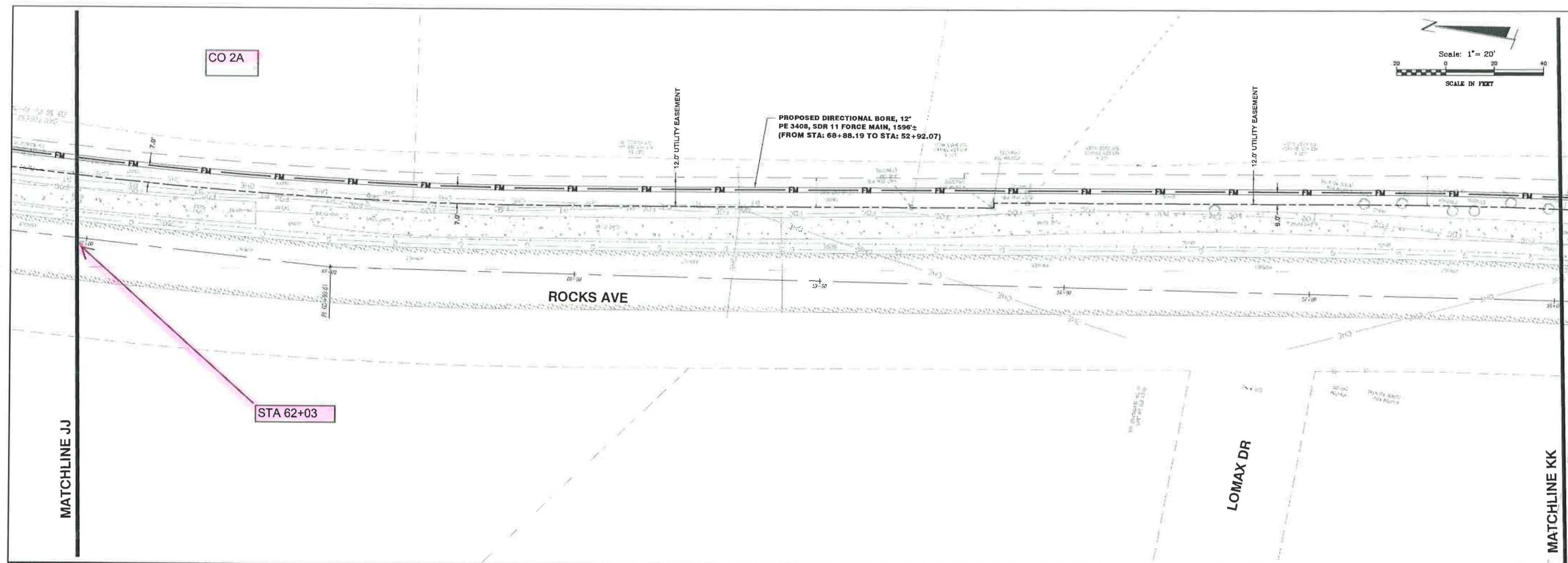
**HALFF**  
 902 North Sinclair Ave.  
 Tavares, Florida 32778  
 Office: 352.343.9481  
 Fax: 352.343.9485  
 Certificate of Authorization Number: 33380

DATE:	AUGUST, 2021
DESIGNED BY:	BJ
DRAWN BY:	BJ
CHECKED BY:	TEM
JOB NO.:	081040.0077
FILE NAME:	

Sheet 8

Troy Mitchell, P.E.  
Registered Eng 60190





NO.	DATE	REVISION

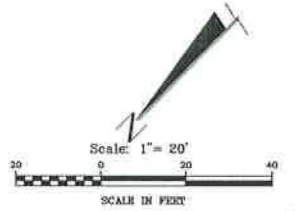
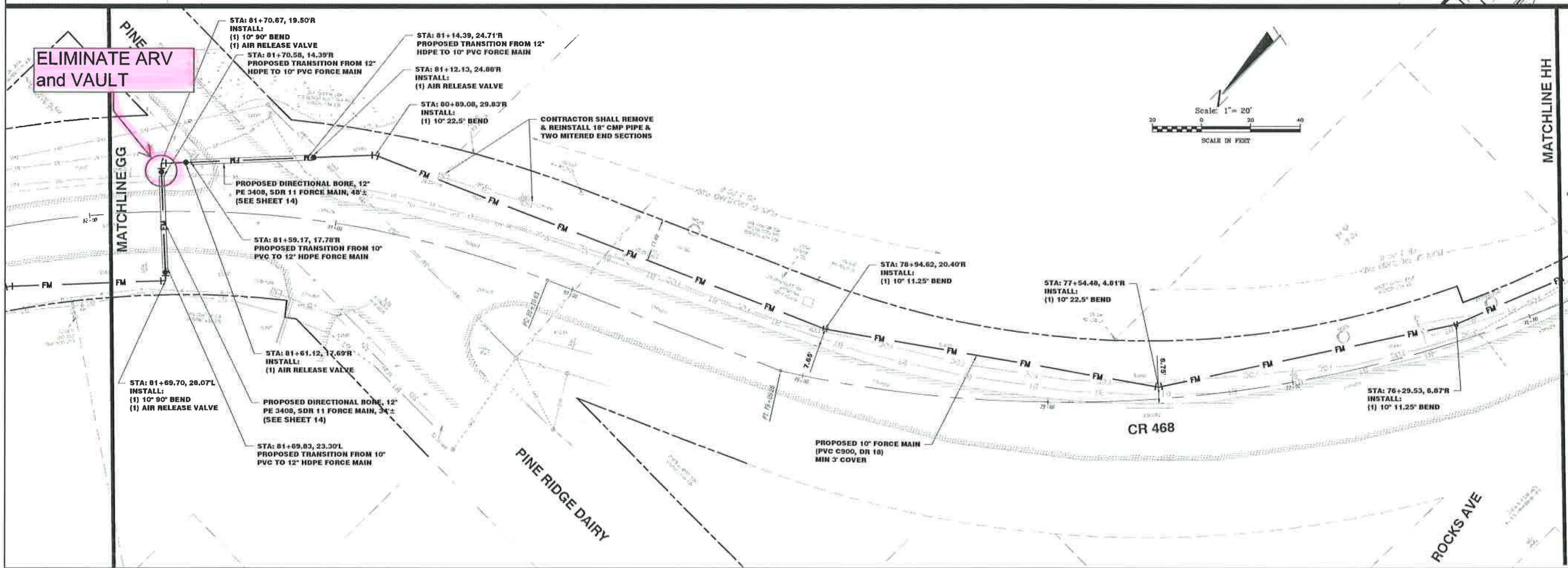
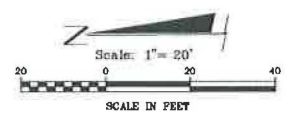
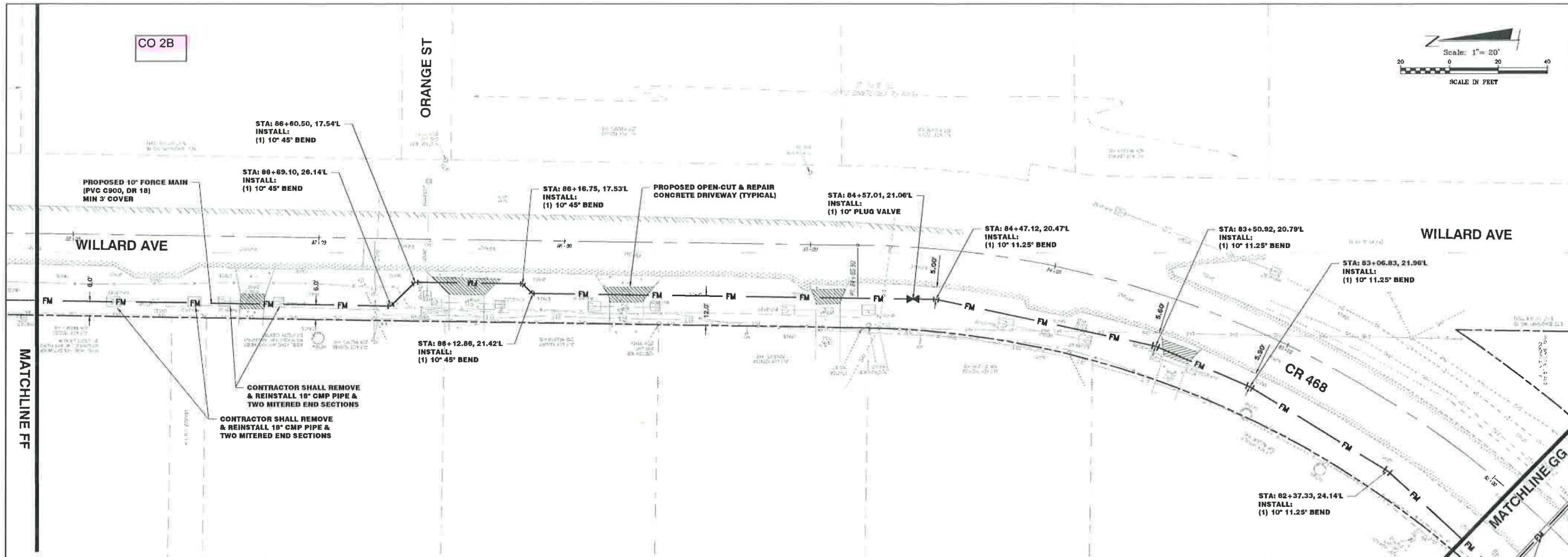
CITY OF FRUITLAND PARK  
URICK STREET FORCE MAIN  
EXTENSION  
PLAN SHEET  
ROCKS AVE & URICK ST



**HALFF**  
902 North Sinclair Ave.  
Tavares, Florida 32778  
Office: 352.343.8481  
Fax: 352.343.8485  
Certificate of Authorization Number: 33390

DATE:	AUGUST, 2021
DESIGNED BY:	BJ
DRAWN BY:	BJ
CHECKED BY:	TEM
JOB NO.:	081040.0077
FILE NAME:	
Sheet 9	





NO.	DATE	REVISION

CITY OF FRUITLAND PARK  
 URICK STREET FORCE MAIN  
 EXTENSION  
 PLAN SHEET  
 WILLARD AVE & CR 468



**HALFF**  
 902 North Sinclair Ave.  
 Tallahassee, Florida 32378  
 Office: 352.343.3481  
 Fax: 352.343.3485  
 Certificate of Authorization Number: 33390

DATE: AUGUST, 2021  
 DESIGNED BY: BJ  
 DRAWN BY: BJ  
 CHECKED BY: TEM  
 JOB NO: 081040.0077  
 FILE NAME:  
 Sheet 7

Troy Mitchell, P.E.  
 Registered Eng #0190

MARK NO. 17  
RC (LB 7514)

**MATCHLINE EE**

120  
N ST

**STA: 94+54.59, 24.73'L  
INSTALL:  
(1) AIR RELEASE VALVE**

**STA: 94+58.54, 24.73'L  
PROPOSED TRANSITION FROM 12"  
HDPE TO 10" PVC FORCE MAIN**

**PROPOSED DIRECTIONAL BORE, 12"  
PE 3408, SDR 11 FORCE MAIN, 52' ±  
(SEE SHEET 14)**

**INSTALL:  
(1) 10" PLUG VALVE**

**PROPOSED TRANSITION FROM 10"  
PVC TO 12" HDPE FORCE MAIN**

**INSTALL:  
(1) 10" 90° BEND  
(1) AIR RELEASE VALVE**

CATCH BASIN  
RIM=91.17'  
INV N=95.40'

8.0'  
GRASS

ASPHALT

STOP

95+00

PI: 94+86.20

20.50'

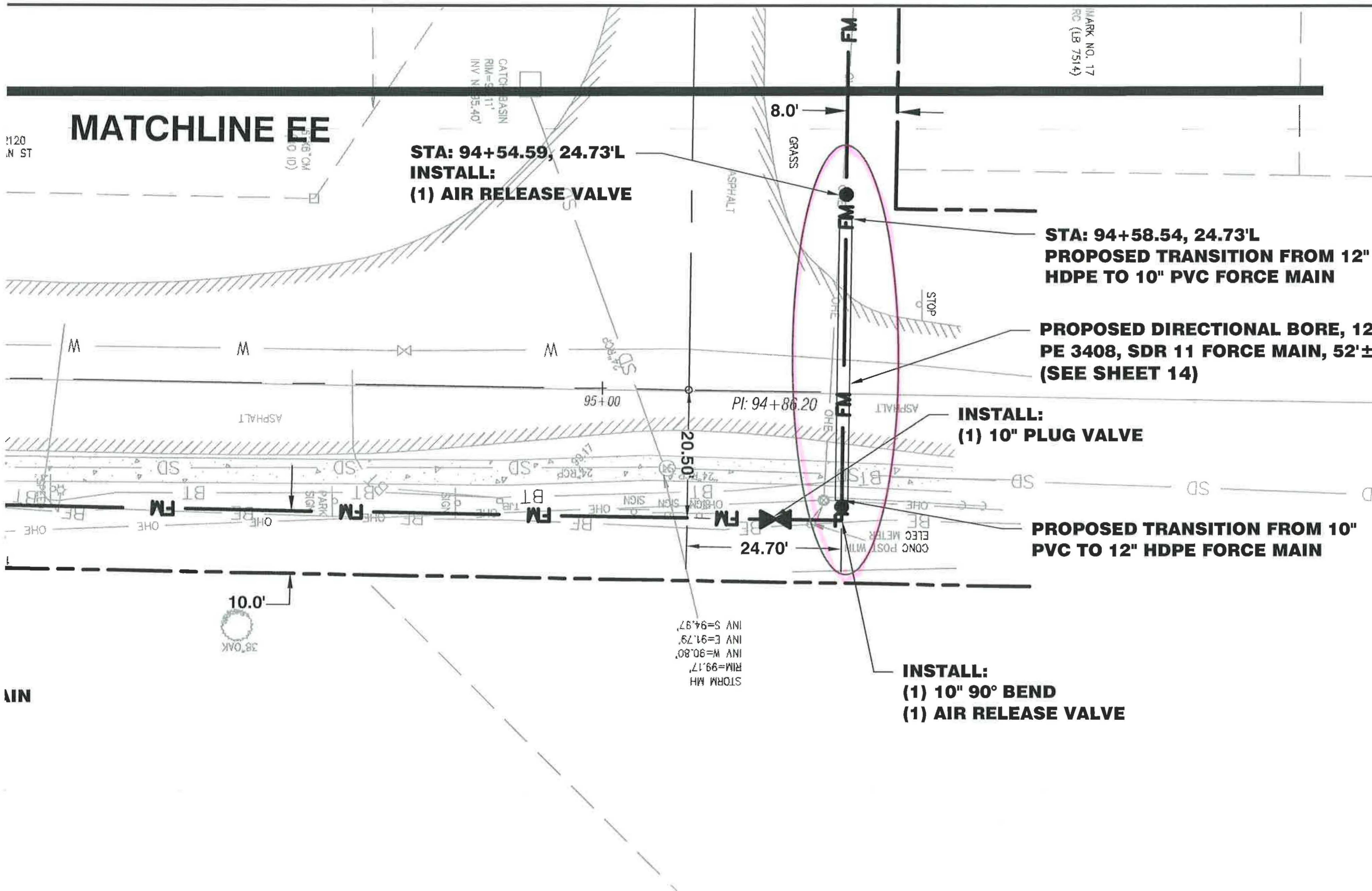
24.70'

STORM MH  
RIM=99.17'  
INV W=90.80'  
INV E=91.79'  
INV S=94.97'

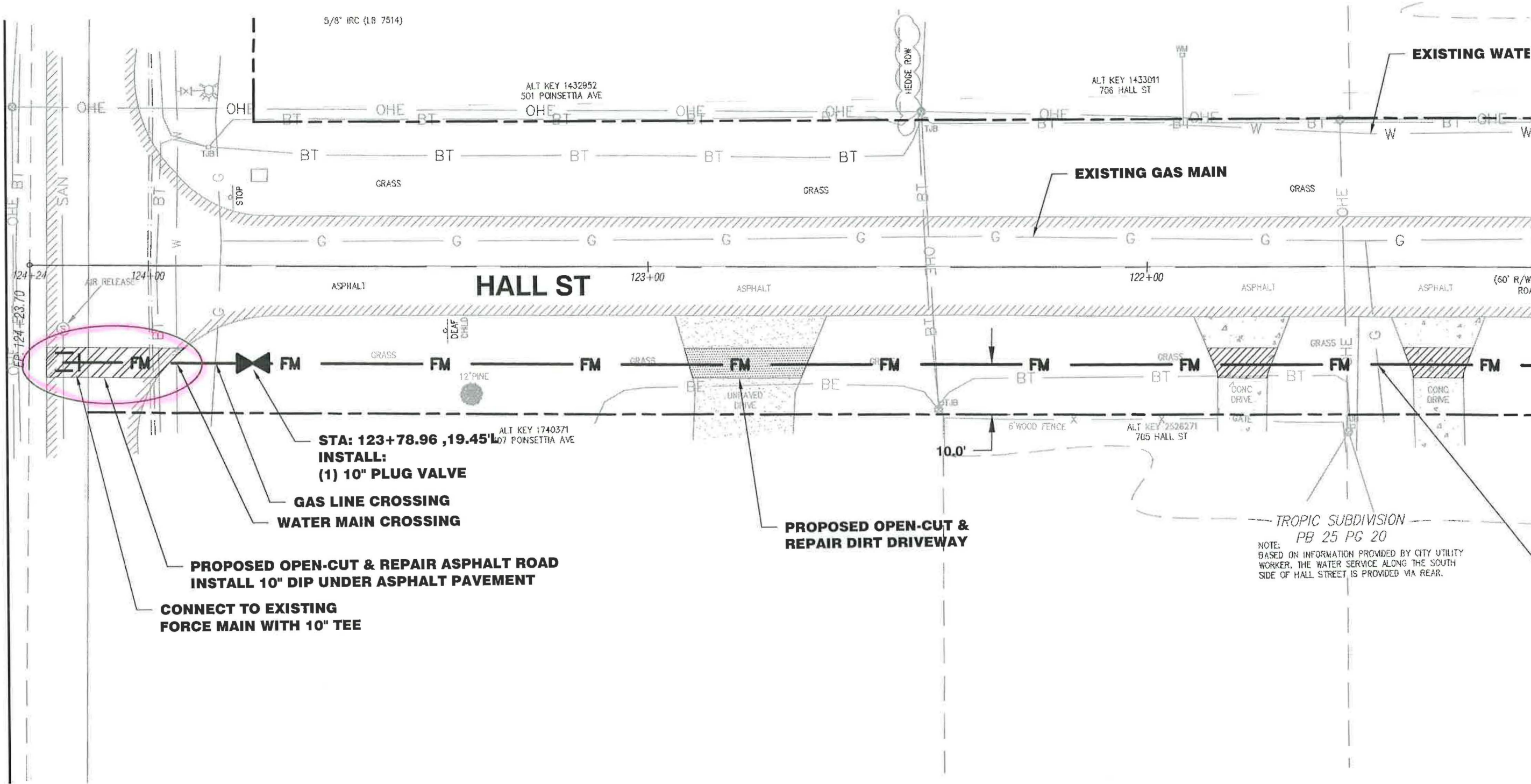
10.0'

38 OAK

NIN







STA: 123+78.96 ,19.45'  
 INSTALL:  
 (1) 10" PLUG VALVE

GAS LINE CROSSING  
 WATER MAIN CROSSING

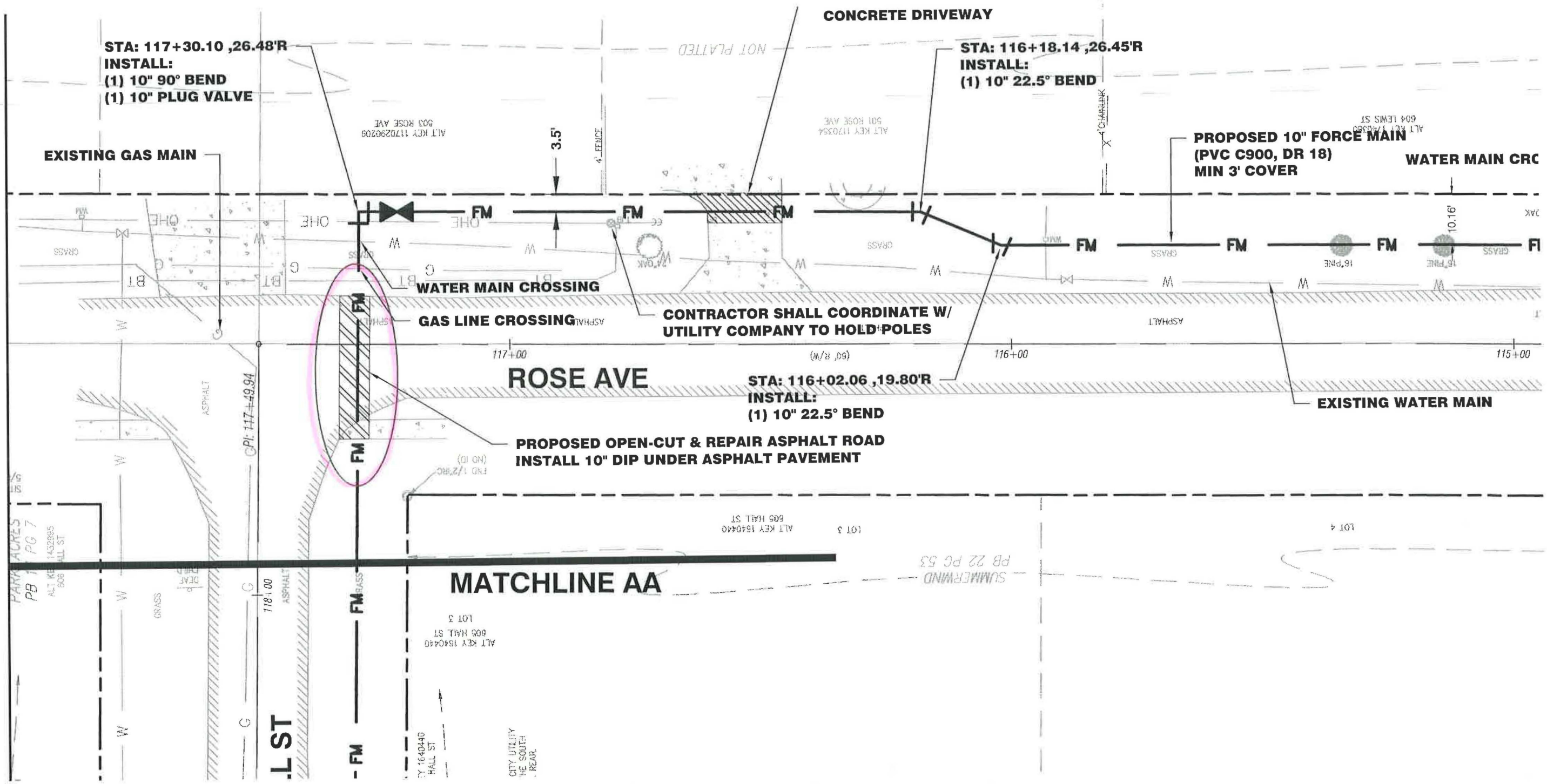
PROPOSED OPEN-CUT & REPAIR ASPHALT ROAD  
 INSTALL 10" DIP UNDER ASPHALT PAVEMENT

CONNECT TO EXISTING  
 FORCE MAIN WITH 10" TEE

PROPOSED OPEN-CUT &  
 REPAIR DIRT DRIVEWAY

TROPIC SUBDIVISION  
 PB 25 PG 20  
 NOTE:  
 BASED ON INFORMATION PROVIDED BY CITY UTILITY  
 WORKER, THE WATER SERVICE ALONG THE SOUTH  
 SIDE OF HALL STREET IS PROVIDED VIA REAR.

CO 2D



STA: 117+30.10 ,26.48'R  
INSTALL:  
(1) 10" 90° BEND  
(1) 10" PLUG VALVE

STA: 116+18.14 ,26.45'R  
INSTALL:  
(1) 10" 22.5° BEND

PROPOSED 10" FORCE MAIN  
(PVC C900, DR 18)  
MIN 3' COVER

WATER MAIN CRC

WATER MAIN CROSSING

GAS LINE CROSSING

CONTRACTOR SHALL COORDINATE W/  
UTILITY COMPANY TO HOLD POLES

ROSE AVE

STA: 116+02.06 ,19.80'R  
INSTALL:  
(1) 10" 22.5° BEND

EXISTING WATER MAIN

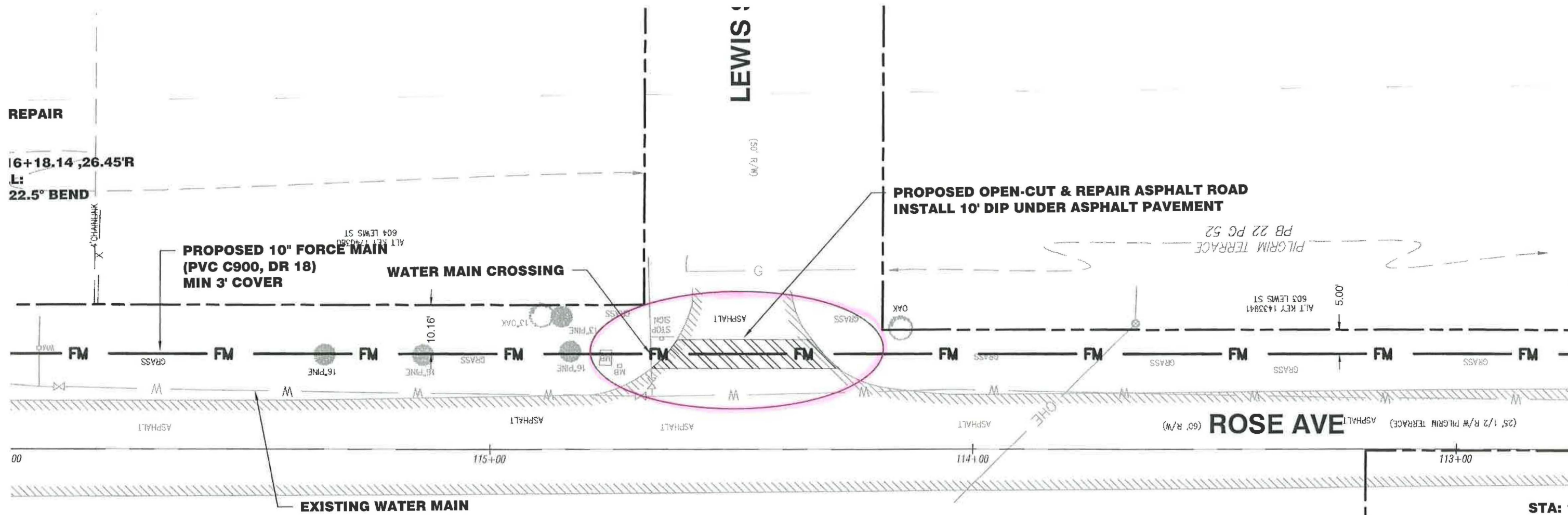
PROPOSED OPEN-CUT & REPAIR ASPHALT ROAD  
INSTALL 10" DIP UNDER ASPHALT PAVEMENT

MATCHLINE AA

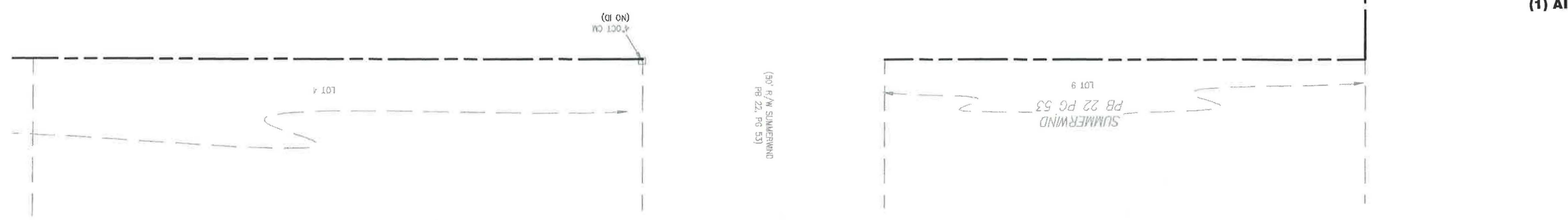
.L ST

CITY UTILITY  
THE SOUTH  
. REAR.





STA: 1  
INSTA  
(1) AIF





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

**ITEM TITLE:** Resolution 2022-017 CR 466A Phase 3B Utility Adjustments – Proposal/Agreement – Halff Associates Inc.

**MEETING DATE:** Thursday, February 23, 2023

**DATE SUBMITTED:** Friday, February 17, 2023

**SUBMITTED BY:** City Attorney/City Manager/Public Works Director

**BRIEF NARRATIVE:** Resolution 2023-017 – Proposal from Halff Associates Inc., to design, engineer and administrate water utility line expansion for the Phase 3 Roadway Expansion of County Road 466A that Lake County wants to procure in April 2023.

**FUNDS REQUIRED:** \$83,600 (20511-60655)

**ATTACHMENTS:** Proposed Resolution 2023-017 and change order documentation.

**RECOMMENDATION:** Staff recommends approval of Halff Associates Inc. to design the subject project.

**ACTION:** Adopt Resolution 2023-017

**RESOLUTION 2023-017**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AGREEMENT/PROPOSAL FOR CR 466A PHASE 3B UTILITY ADJUSTMENTS DATED FEBRUARY 14, 2023 FROM HALFF IN AN AMOUNT NOT TO EXCEED \$83,600.00 FOR ENGINEERING, SURVEYING, PERMITTING, ADMINISTRATIVE, BIDDING AND CONSTRUCTION ADMINISTRATION SERVICES AND REIMBURSABLES; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Fruitland Park will be relocating water within the CR 466A corridor due to the widening of Phase 3 of CR 466A which will impact the watermain on the south side of CR 466A from 1000' east of Timbertop Lane to approximately 500' east of Janice Drive; and

**WHEREAS**, surveying, engineering, permitting, bidding and contract administration services are needed; and

**WHEREAS**, Halff offers the services needed by the city and a proposal in an amount not to exceed \$83,600.00 has been submitted by Halff; 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 Halff.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

Section 1. The Agreement/Proposal for CR 466A Phase 3B Utility Adjustments dated February 14, 2023 from Halff in the amount not to exceed \$83,600.00, **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 23<sup>rd</sup> 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

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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



VIA EMAIL [rdicus@fruitlandpark.org](mailto:rdicus@fruitlandpark.org)

February 14, 2023

Robb Dicus  
City of Fruitland Park  
202 W. Berckman Street  
Fruitland Park, FL 34731

**RE: PROPOSAL/AGREEMENT FOR CR 466A PHASE 3B UTILITY ADJUSTMENTS,  
FRUITLAND PARK, FLORIDA, LAKE COUNTY  
(HALFF P43866.101)**

Dear Mr. Dicus:

### **SCOPE OF WORK**

Prepare Utility Adjustment Plans to relocate water and sewer utilities within the CR 466A corridor due to the Lake County widening project. The Lake County CR 466A Phase 3B project will impact the watermain on the south side of CR466A from 1000' east of Timbertop Lane (First Baptist Leesburg Village Park Campus entrance) to approximately 500' east of Janice Drive in Fruitland Park, Florida. Detailed scope of services is outlined in the itemized phases below.

### **SCOPE OF SERVICES**

#### **PHASE 100 SURVEY SERVICES**

Field locate utilities (horizontal and vertical) as marked by the City of Fruitland Park to include water services, meters and backflow preventers (see scope area below). Horizontal and Vertical control will be established via FPRN network. Deliverable will be a Civil3D autocad base file only.

**FEE: \$5,600.00**



## PHASE 200 UTILITY ADJUSTMENT PLANS

Prepare Utility Adjustment Plans in accordance with Lake County and City of Fruitland Park requirements. Road construction plan base sheets to be obtained from Kimley-Horn and Associates, Inc. to overlay utility and survey information and prepare utility adjustment design. Plans will be on 11" x 17" sheets. Half Associates, Inc. (HALFF) will coordinate with Kimley-Horn and Associates, Inc., Lake County, and City of Fruitland Park for design adjustments to minimize cost of utility adjustments.

The following sheets are anticipated:

- Key Sheet (1 Sheet)
- 1" = 20' Utility Demo Sheets (18 Sheets)
- 1" = 20' Utility Plan Sheets (18 Sheets)
- Utility Detail Sheets (5 Sheets)

**FEE: \$38,000.00**

## PHASE 300 PERMITTING

HALFF shall prepare the required permit applications and make submittals to the following agencies as necessary to properly permit the utility adjustments.

- Prepare and submit application and supporting documents to Florida Department of Environmental Protection for Water Distribution permit.
- Prepare and submit application for Lake County Right-of-Way Utilization Permit.

**FEE: \$5,500.00**

## **PHASE 400 PROJECT ADMINISTRATION & COMMUNICATION**

The scope of services shall include administrative services necessary to coordinate all aspects of the project through the design and permitting phase. These services shall include project scheduling with all regulatory agencies and public utility companies during the design and permitting phase of the project.

The scope of services shall include HALFF attendance at project meetings, conference calls, progress meetings or other meetings requested by the client. The meetings anticipated are as follows: two (2) meetings with the City Manager/Public Works, one (1) meeting with Lake County, and one (1) meeting with Fruitland Park City Council.

**FEE: \$6,500.00 (BUDGET, NOT TO EXCEED,  
TO BE BILLED HOURLY)**

## **PHASE 500 CONSTRUCTION BID DOCUMENTS / BIDDING SERVICES**

Services to include preparation of bid documents and specifications. HALFF shall coordinate with the City and Lake County to incorporate utility adjustment work into Lake County roadway bid process. HALFF will prepare a Bid Form and an Engineer's Cost Estimate, attend pre-bid meeting with the County, answer contractor request for additional information during the bid process and evaluate bids to make recommendation.

**FEE: \$4,500.00**

## **PHASE 600 CONSTRUCTION ADMINISTRATION**

HALFF will advise and consult with the City and act as the City's representative during construction. HALFF will make weekly visits to the site to observe the progress and quality of the executed site work and to determine in general if the work is proceeding in accordance with the construction drawings. HALFF will review and approve shop drawings, results of tests and inspections and other data that the contractor is required to submit.

Based upon the on-site observations and signed/sealed survey as-builts to be provided by Contractor, HALFF shall prepare and submit certifications of completions to the following State and local agencies as required:

1. City of Fruitland Park
2. Florida Department of Environmental Protection.
3. Lake County

**FEE: \$22,000.00 (BUDGET, NOT TO EXCEED,  
TO BE BILLED HOURLY)**

## **PHASE 999 REIMBURSABLES**

Costs for reimbursables, including printing, copying, blueprints, binding, mileage, etc, shall be billed at the rates shown in the attached Rate Schedule, or at cost.

**FEE: \$1,500.00 (ESTIMATED, TO BE BILLED AT COST)**

Our fees for the described services are outlined in the following table. We have provided “Lump Sum Fees” for the services identified in the Scope of Work. Lump Sum Fees do not include Reimbursable Expenses directly associated with the project (travel, mileage, reproduction, supplies, and other non-labor reimbursable costs.) Our fee schedule is as follows:

**SCHEDULE FEE SUMMARY**

PHASE 100	\$5,600.00
PHASE 200	\$38,000.00
PHASE 300	\$5,500.00
PHASE 400	\$6,500.00
PHASE 500	\$4,500.00
PHASE 600	\$22,000.00
PHASE 9999	\$1,500.00
<b>TOTAL</b>	<b>\$83,600.00</b>

**THIS PROPOSAL DOES NOT INCLUDE THE FOLLOWING ITEMS:**

1. As-built Survey
2. Written Specifications
3. Environmental Assessment (Threatened and Endangered Assessment)
4. Reimbursables to be billed based upon direct expense incurred by HALFF for blueprints, copies, mylars, reproductions, postage, etc.
5. Advance of permit fees, impact fees, title search fees, recording or advertising fees.
6. The above prices allow for up to two (2) response submittals for any request for additional information letters from referenced agencies. Any additional request's will be billed on an hourly basis based on the attached hourly rate schedule.

## Standard Hourly Rate Schedule 2022-2023

### **Engineers**

Principal/Officer – Professional Engineer	\$300.00
Senior Professional Engineer	\$260.00
Professional Engineer	\$185.00
Project Manager	\$155.00
Engineer Intern	\$110.00
Senior Technician	\$125.00
Design Technician	\$90.00
Project Technician	\$90.00

### **Survey**

Survey Department Manager – P.S.M.	\$210.00
Professional Surveyor – P.S.M.	\$175.00
2 Man Field Crew	\$180.00
3 Man Field Crew	\$235.00
4 Man Field Crew	\$290.00
Senior Survey Technician	\$125.00
Survey Technician	\$100.00

### **GIS**

Principal Officer – Senior Spatial Analyst	\$165.00
Senior Spatial Analyst	\$135.00
Spatial Analyst	\$100.00
GIS Specialist	\$60.00

### **Landscape Architects**

Principal/Officer – Professional Landscape Architect	\$230.00
Senior Professional Landscape Architect	\$160.00
Project Manager Landscape Architect	\$150.00
Professional Landscape Architect	\$140.00
Senior Landscape Designer	\$115.00
Landscape Designer	\$85.00

### **Planners**

Principal/Officer – Land Planner	\$265.00
Senior Planner	\$185.00
Professional Planner	\$125.00
Project Planner	\$105.00

### **Environmental Scientists**

Senior Environmental Scientist	\$210.00
Environmental Scientist II	\$150.00
Environmental Scientist I	\$90.00

### **Reimbursable Expenses**

Reimbursable expenses include, but are not limited to:

Courier Service	Government Permitting Fees
Maps/GIS Data	Prints, Copies, Plots, Plans
Mileage, Parking, Tolls	Subconsultant Fees
Postage and Overnight Mail	Travel (lodging, rental car, per diem)
Miscellaneous Services	



**CLIENT INFORMATION FORM**

To assist Halff Associates, Inc., to prepare the requested proposal, please complete the information below:

PRINT NAME & TITLE: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

BILLING ADDRESS: \_\_\_\_\_

\_\_\_\_\_

PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

BILLING CONTACT NAME & TITLE: \_\_\_\_\_

BILLING CONTACT EMAIL: \_\_\_\_\_

BILLING CONTACT PHONE: \_\_\_\_\_

CLIENT REPRESENTATIVE: \_\_\_\_\_

IS CLIENT THE OWNER OF THE SUBJECT PROPERTY? YES: \_\_\_\_\_ NO: \_\_\_\_\_

(If no, Halff Associates, Inc., reserves the right to require a retainer prior to commencing services.)

Is the property accessible? \_\_\_\_\_

If gated/locked, who shall Halff Associates, Inc. contact to gain access to the property?

NAME AND PHONE NUMBER: \_\_\_\_\_

I HEREBY CERTIFY THAT THE ABOVE INFORMATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

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

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

**MEETING DATE:** February 23, 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 first reading was held on February 9, 2023.)

**FUNDS BUDGETED:** None

**ATTACHMENTS:** Proposed ordinance, fee schedule, rates, comparison, and advertising affidavit

**RECOMMENDATION:** Approval

**ACTION TO BE TAKEN:** Enact Ordinance 2023-005 to become effective immediately as provided by law.

**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.

\_\_\_\_\_  
Chris Cheshire, Mayor

Attest:

\_\_\_\_\_  
Esther B. 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)

First Reading February 9, 2023  
Second Reading February 23, 2023

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

## FOURTH AMENDMENT TO RESTATED SOLID WASTE COLLECTION AGREEMENT

THIS FIFTH AMENDMENT TO RESTATED SOLID WASTE COLLECTION AGREEMENT is made this \_\_\_\_ day of \_\_\_\_\_ 2023, by and between the CITY OF FRUITLAND PARK, Florida, a Florida municipal corporation (“City”) and WASTE MANAGEMENT INC. OF FLORIDA, a Florida corporation (“Waste Management” or “Collector”).

WHEREAS, the City and Waste Management previously executed an Agreement (the “Agreement”) for the collection of solid waste within the City dated September 27, 2001; and

WHEREAS, the City and Waste Management amended the Agreement on October 10, 2002 (“First Amendment”) and on October 1, 2006 (“Second Amendment”); and

WHEREAS, the City and Waste Management amended and restated the Solid Waste Collection Agreement effective October 1, 2011 (the “Restated Agreement”); and

WHEREAS, the City and Waste Management amended the Restated Agreement on February 25, 2016 (the “First Amendment to Restated Agreement”); and

WHEREAS, the City and Waste Management amended the Restated Agreement on September 9, 2021 (the “Second Amendment to Restated Agreement”); and

WHEREAS, the City and Waste Management amended the Restated Agreement on November 21, 2021 (the “Third Amendment to Restated Agreement”); and

WHEREAS, the City and Waste Management amended the Restated Agreement on February 1 2022 (the “Fourth Amendment to Restated Agreement”); and

WHEREAS, the parties desire to make certain modifications to the Restated Agreement as set forth herein.

NOW, THEREFORE, in consideration of the mutual promises, benefits, and representations set forth herein, the parties agree as follows:

1. The recitals stated above are true and correct and are incorporated herein by reference.
2. Section 4 Term is amended to read as follows:
  - a. The term of this Agreement shall end on September 30, 2027; provided, however, the City reserves the right to terminate the same prior thereto if the Collector defaults in any one of the material terms and conditions herein specified and does not cure same within the time specified.
  - b. The term of this Agreement may be extended for additional terms of five (5) years if the City and Collector consent in writing not less than ninety (90) days prior to the expiration of each term.
3. Section 5 Minimum Services is amended to delete all references to collection, processing and sale of recyclables and is amended to read as follows:

Collector shall make at least two (2) collections per week of refuse at all

Places where garbage is being deposited in containers. Further, Collector shall make at least one (1) collection per week of yard trash and bulk waste at all places where garbage is being deposited in containers. If the City desires to alter the service level set forth herein, and such alteration reduces or increases service levels, the City and Collector shall enter into good faith negotiations to appropriately amend this contract.

4. Section 16 Changes in Cost of Doing Business is amended to read as follows:

Commencing February 1, 2023 and each February 1 thereafter, the fees or compensation payable to the Collector shall be adjusted upward or downward to reflect changes in the cost of doing business as measured by fluctuations in the Consumer Price Index, Waste & Trash, Not Seasonally Adjusted, All Areas, Series ID CUUR0000SEHG02, published by the U.S. Department of Labor, Bureau of Labor Statistics ("CPI"). The fees and compensation shall be increased or decreased in a percentage amount equal to the net percentage change in the CPI computed for the preceding twelve (12) month period of December through November. Commercial Dumpster rates will be adjusted on February 1, 2023 as delineated in Exhibit B, and Commercial Dumpster rates will thereafter be subject to annual CPI rate changes for subsequent years, beginning February 1, 2024.

5. Exhibit B City of Fruitland Park Collection and Disposal Rates is deleted and replaced with new Exhibit B attached hereto and made a part hereof.

6. This Fifth Amendment to Restated Solid Waste Collection Agreement shall be effective March 1, 2023.

7. All other terms of the Agreement not amended as stated herein shall remain in full force and effect.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

CITY OF FRUITLAND PARK

By: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

WASTE MANAGEMENT INC. OF FLORIDA

By: \_\_\_\_\_  
David Myhan, President

ATTEST:

By: \_\_\_\_\_  
Lisa Silva, Assist. Secretary

# 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	<b>\$ 25.97</b>

#### Commercial Handstops

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

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

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

**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



# The Villages® DAILY SUN

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

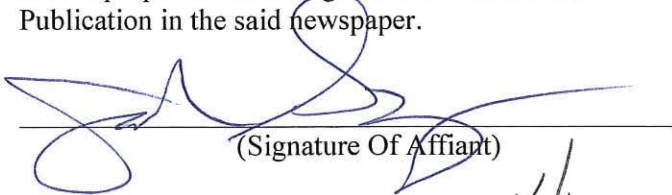
Before the undersigned authority personally appeared **Joseph Szabo**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal #111416 in the matter of

### ORDINANCE 2023--005

was published in said newspaper in the issues of

**FEBRUARY 11, 2023**

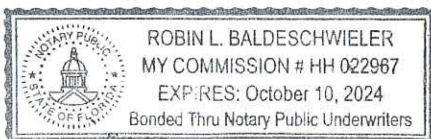
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, 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 14  
day of February 2023.

  
Robin L. Baldeschwieler, Notary

Personally Known X or  
Production Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



### 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. The first reading was held on February 9, 2023.)

This meeting is open to the public and this ordinance will be presented for public hearing by the City of Fruitland Park City Commission at its regular meeting to be held on Thursday, February 23, 2023 at 6:00 p.m. in the commission chambers of city hall, 506 West Berckman Street, Fruitland Park, Florida 34731. The proposed ordinance may be reviewed and inspected by the public during normal working hours at city hall. For further information, please call (352) 360-6790. Interested parties may appear at the meetings and will be heard with respect to the proposed ordinance.

Anyone requiring special accommodations at this meeting because of disability or physical impairment should contact the city clerk's office at city hall (352) 360-6727 at least at least forty-eight (48) hours prior to the hearing. (Florida Statutes 286.26). Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made by the city commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (Florida Statutes 286.0105) **#111416 February 11, 2023**

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

**ITEM TITLE:** CITY MANAGER’S REPORT

**MEETING DATE:** Thursday, February 23, 2023

**DATE SUBMITTED:** Thursday, February 17, 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: 5b**

<b>ITEM TITLE:</b>	<b>CITY ATTORNEY’S REPORT</b>
<b>MEETING DATE:</b>	Thursday, February 23, 2023
<b>DATE SUBMITTED:</b>	Thursday, February 16, 2023
<b>SUBMITTED BY:</b>	City Manager
<b>BRIEF NARRATIVE:</b>	<b>City Attorney’s Report</b>

**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.

**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 26<sup>th</sup> 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 provided additional comments to CivicPlus on February 16, 2023. I believe all outstanding comments have been addressed.

**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: 7**

**ITEM TITLE:** Public Comments

**MEETING DATE:** Thursday, February 23, 2023

**DATE SUBMITTED:** Friday, February 10, 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