

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

June 22, 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 Charles “Chuck” Padgett, Trinity Assembly of God

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)

June 8, 2023 regular meeting.

4. REGULAR AGENDA

(a) Resolution 2023-034 – Preliminary Fire Assessment (deputy finance director)

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE PROVISION OF FIRE SERVICES WITHIN THE VILLAGES OF FRUITLAND PARK BENEFIT AREA IN THE CITY OF FRUITLAND PARK; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

- (b) **Resolution 2023-035 – Public Works Building Project – Change Order #5 – Gooseneck Transmitters Addition and Equipment Pads Removal – GSB Construction and Development Inc.** (city attorney/city manager/public works director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CHANGE ORDER NO. 5 TO THE EJCDC STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR ON THE BASIS OF A STIPULATED PRICE BETWEEN THE CITY OF FRUITLAND PARK AND GSB CONSTRUCTION & DEVELOPMENT, INC. TO PROVIDE FOR AN INCREASE OF \$2,033.49 IN THE STIPULATED SUM; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER; PROVIDING FOR AN EFFECTIVE DATE.

- (c) **RFQ 2023-01 Construction Management Services “At Risk” New Public Safety Complex – Ranking** (city attorney/city manager)

Motion to consider the ranking, negotiation and approval of Request for Qualifications 2023-01 (Construction Management Services “At Risk”) for the new public safety complex.

- (d) **2023 Revised Meeting Schedule** (city manager)

Motion to consider the FY 2023-24 Budget Workshop to be held on July 31 and August 1, 2023.

QUASI-JUDICIAL PUBLIC HEARING

- (e) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2023-007 Conditional Use Permit - Petitioner: Ralph W. Thiele 2021 Revocable Trust** (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW A 24,000 SQUARE FOOT PRIVATE GARAGE LOCATED IN THE C-2 ZONING DISTRICT FOR THE HEREFTER DESCRIBED LANDS WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; OWNED BY THE RALPH W. THIELE 2021 REVOCABLE TRUST DATED DECEMBER 16, 2021 AND LOCATED AT 35421 MICRO RACETRACK ROAD, FRUITLAND PARK, LAKE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY AND SCRIVENER’S ERRORS; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on July 13, 2023.)

END OF QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

- 5. (a) City Manager**
 - i. Economic Development Status Update**
 - ii. Commercial Developments Permits Issued Status Update**
 - iii. Law Enforcement Dispatch Services - LCSO Status Update Report**
 - iv. City Treasurer**
- (b) City Attorney**
 - i. U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845**
 - ii. Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628**
 - iii. Code of Ordinances – Codification**
 - iv. LDR Codification**
 - v. Kaitlin Delong vs. City of Fruitland Park, Lake County Case No. 2022-CA-00463**

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

10. ADJOURNMENT

DATES TO REMEMBER

- June 24, 2023, Derby Kart Race, Mirror Lake Drive and West Berckman Street, Fruitland Park, Florida 34731 at 10:00 a.m.;
- July 4, 2023, City Hall Closed – Holiday;
- July 13, 2023, City Commission Regular at 6:00 p.m.;
- July 14, 2023, Lake County League of Cities, *Lake County Sheriff's Update*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 noon;
- July 27, 2023, City Commission Regular at 6:00 p.m.;
- August 10, 2023, City Commission Regular CANCELLED;
- August 14, 2023, Lake County Parks, Recreation and Trails Advisory Board, Office of Parks and Trails, Conference Room, 2401 Woodlea Road, Tavares, Florida, 32778;
- August 18, 2023, LCLC, *Lake County Sheriff's Update*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 noon, and
- August 24, 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 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, June 22, 2023

DATE SUBMITTED: Thursday, June 15, 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 (city clerk)
June 8, 2023 regular meeting minutes

FUNDS BUDGETED: 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
June 8, 2023**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, June 8, 2023, at 6:00 p.m.

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

Member Absent: Commissioner John Mobilian

Also Present: Gary La Venia City Manager; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce; Sergeant David Cox and K-9 Officer Anthony Buehler, Police Department; Public Works Director Robb Dicus, Human Resources Director Betty McHale; Deputy Finance Director Gary Bachmann; Michael “Mike” Rankin, Interim Community Development Director, LPG Urban & Regional Planners Inc. (consultant retained by the city); Lake County Fire Rescue Firefighter/Paramedic John Piloncillo and Firefighter Binana Jefferson, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

Mayor Cheshire called the meeting to order, Reverend Dr. Pastor George A Mulford III, Grace Bible Baptist Church, gave the invocation and Boys Scout Troop 143, Fruitland Park led in the pledge of allegiance to the flag.

ACTION: 6:00:50 p.m. No action was taken.

2. ROLL CALL

After Mayor Cheshire requested that Ms. Coulson call the roll, a quorum was declared present, and Commissioner Mobilian’s absence was recognized.

ACTION: 6:02:55 p.m. **By unanimous consent, the city commission excused the absence of Commissioner Mobilian at this time.**

3. SPECIAL PRESENTATIONS

Mr. Chris Holley II, Florida League of Cities’ (FLC’s) External Services Director, described the FLCs’ functions, goals, and mission; read into the record the following resolutions adopted by the FLCs’ Board of Directors honoring, commending and recognizing Commissioners Gunter and Bell for their long service and presented them with lapel pins marking their many years of service:

(a) FLCs’ 2023 Mayor John Land Years of Service Awards – Years of Elected Service – J. L. Gunter Jr.

Commissioner John L. Gunter Jr.’s 30 years of elected service and presentation with the Mayor John Land Years of Service Award in recognition of his unselfish commitment to municipal leadership and governance.

(b) FLCs' 2023 Mayor John Land Years of Service Awards – Years of Elected Service – C. Bell

Honoring Commissioner Chris Bell's 29 years of elected service and presentation with the Mayor John Land Years of Service Award in recognition of his unselfish commitment to municipal leadership and governance.

ACTION: 6:03:15 p.m. After the FLCs commended and congratulated the commissioners for their deduction to the city and their recognition as outstanding public servants in Florida, they both accepted the awards with much honor.

(c) City Treasurer Appreciation Plaque and Jeannine Racine Day Proclamation

On behalf of the city commission, Mayor Cheshire read into the record a proclamation recognizing June 8, 2023 as *Jeannine R. Racine Day*; extending heartfelt appreciation for her dedication, selflessness, and hard work as well as best wishes on her retirement and future endeavors and announced that her sense of style and purpose will be missed. She was also presented with a plaque in appreciation and recognition of her commitment, contribution and 11 years of dedicated service to the city.

ACTION: 6:12:33: p.m. Ms. Racine accepted the proclamation and plaque with much gratitude.

4. CONSENT AGENDA

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

Approval of Minutes

May 25, 2023 regular meeting minutes.

ACTION: 6:15:58 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Bell, and unanimously carried, the city commission approved the consent agenda as previously cited.**

5. REGULAR AGENDA

(a) RFQ 2023-01 Construction Management Services “At Risk” New Public Safety Complex Presentations

After Ms. Geraci-Carver outlined the process, representatives from the following companies appeared giving power-point presentations on the Request for Qualifications 2023-01 (Construction Management Services “At Risk”) for the new public safety complex (copies of which are attached to the minutes of this meeting):

- i. D. E. Scorpio Corporation by Domenic Scorpio, President and CEO who introduced Mr. Erik Anderson,
- ii. H J High Construction by Robert High, President or Shawn Straight, Communications Director

ACTION: 6:15:11 p.m., 7:02:11 p.m. and 7:05:31 p.m. After discussion, and by unanimous consent, the city commission agreed to consider the ranking, negotiation and approval of the above-captioned firms' proposals at its June 22, 2023 regular meeting.

(b) Diesel Bypass Pump Quotes - Lift Station Emergencies

The city commission considered its action on the following diesel bypass pump quotes for the lift station emergencies:

- i. Hudson Pump and Equipment, Lakeland, Florida - \$82,369.00
- ii. Water Pumps Direct, internet sales - \$65,579.00, and
- iii. Coastal Pump and Equipment, Winter Haven, Florida - \$51,832.80. (Said quote includes two different pumps. The city will be purchasing the diaphragm pump at \$50,332.80 plus \$1,500.00 freight charge.)

ACTION: 7:01:58 p.m. and 7:02:32 p.m. After discussion and on motion of Commissioner Gunter, seconded by Commissioner Bell and unanimously carried, the city commission accepted staff's recommendation to award the quote to Coastal Pump and Equipment as the lowest responsive and responsible bidder for the amount not to exceed \$51,832.80.

6. (a) City Manager

i. Economic Development Status Update

Mr. La Venia gave an outline on the status of current economic development projects to which Mr. Rankin updated the city commission on same anticipated to be considered before the forthcoming technical review committee meeting and the Planning and Zoning Board. He addressed his intent to provide an update on the land development regulations (LDR), comprehensive plan and maps at a future city commission meeting.

ACTION: 7:05:31 p.m. No action was taken.

ii. Commercial Developments Permits Issued Status Update

Mr. La Venia had nothing to report on the commercial development permits issued at this time.

ACTION: 7:05:31 p.m. No action was taken.

iii. Law Enforcement Dispatch Services - Lake County Sheriff's Office

Mr. La Venia referred to the Lake County Sheriff's Office (LCSO) cost of \$103,380 for its annual contract to provide dispatch services for the city and other municipalities and pointed out the subsequent contract which has been earmarked in the FY 2023-24 proposed budget.

In response, Ms. Geraci-Carver addressed her plan to contact LCSO's General Counsel Derek A. Schroth, Bowen Schroth.

ACTION: 7:09:52 p.m. No action was taken.

iv. Local Ordinances Senate Bill 170

Later in the meeting and at Mr. La Venia's request, Ms. Geraci-Carver outlined some of the following provisions under Local Ordinances Senate Bill 170 which was not, as of June 7, 2023, submitted to or executed by the Florida Governor where:

- continued meetings, if adopted, would be contrary to the recent case law regarding insufficient public notice (her opinion given on February 9 that the District Court of Appeals of the State of Florida Fourth District ruling would meet compliance); and that the city would revert on same without re-advertising;
- a plaintiff, in civil action, challenges an enacted ordinance which is arbitrary and reasonable, attorneys' fees and costs of up to \$50,000 would be awarded to the prevailing attorneys, and
- proposed ordinances with an economic or business impact estimate would need to be posted on the local government's website within a specified time of being considered before the elected body.

Ms. Geraci-Carver addressed her plan to report back to the city commission at a future date on matters affecting the city as it relates to the 2023 legislation coming into effect on October 1, 2023. (A copy of SB 170 is filed with the supplemental papers to the minutes of this meeting.)

ACTION: 7:13:15 p.m. No action was taken.

v. City Treasurer

Mr. La Venia had nothing to report on the city treasurer at this time.

ACTION: 7:05:31 p.m. No action was taken.

(b) City Attorney

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

Ms. Geraci-Carver referred to her agenda summary report on the U.S. Bank National Association v. Robert More Lake County Case No. 2022-CA-00845 who are filing to try to recover some money. She anticipated with the extra proceeds that the case would be filed and funds dispersed.

ACTION: 7:13:22 p.m. No action was taken.

ii. 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 Lake County Case No. 2022-CA-1628.

ACTION: 7:13:22 p.m. No action was taken.

iii. Fruitland Park Official City Code

Ms. Geraci-Carver had nothing to report on the city code.

ACTION: 7:13:22 p.m. No action was taken.

iv. LDR Codification

Ms. Geraci-Carver had nothing to report on the LDR codification.

ACTION: 7:13:22 p.m. No action was taken.

v. 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 Lake County Case No. 2022-CA-00463 at this time.

ACTION: 7:13:22 p.m. No action was taken.

7. UNFINISHED BUSINESS

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

ACTION: 7:17:22 p.m. No action was taken.

8. PUBLIC COMMENTS

No one from the public appeared before the city commission.

ACTION: 7:17:23 p.m. No action was taken.

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian was absent from this evening's meeting.

ACTION: 7:17:45 p.m. No action was taken.

(b) Commissioner Bell

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

ACTION: 7:17:45 p.m. No action was taken.

(c) Commissioner Gunter

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

ACTION: 7:17:50 p.m. No action was taken.

(d) Vice Mayor DeGrave

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

ACTION: 7:17:53 p.m. No action was taken.

10. MAYOR'S COMMENTS

(a) Commission Meeting Schedule

Mayor Cheshire referred to the previously distributed Fiscal Year 2023-24 Budget Calendar which reflected the dates of August 7 and 8, 2023 to hold a workshop; relayed Mr. La Venia's remarks that those dates are not feasible, and questioned whether holding same on July 31 and August 1, 2023 would be acceptable.

ACTION: 7:17:56 p.m. Upon Mayor Cheshire's suggestion and **by unanimous consent, the city commission agreed to consider the dates of July 31 and August 1, 2023 to hold a workshop at its next meeting.**

(b) Dates to Remember

Mayor Cheshire recognized the following events:

- June 9, 2023, Jeannine Racine's Retirement Party, Community Center, 205 West Beckman Street, Fruitland Park, Florida 34734 at 4:00 p.m.;
- June 16, 2023, *A Night on the Town* Progressive Dinner Event:
 - o Appetizers, Fruitland Park Library, 604 West Beckman Street, Fruitland Park, Florida 34734 at 5:30 p.m.
 - o Dinner, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34734 at 6:00 p.m.;
 - o Dessert, City Hall, 506 West Berkman Street, Fruitland Park, Florida 34734 at 7:00 p.m.;
 - o Comedy Show, 205 West Berckman Street, Fruitland Park, Florida 34734 at 8:00 p.m.;
- June 21, 2023, Lake-Sumter Metropolitan Planning Organization Governing Board Meeting, 1300 Citizens Boulevard., Suite 175, Leesburg, Florida 34748 at 2:00 p.m., and
- June 24, 2023, Derby Kart Race, Mirror Lake Drive and West Berckman Street, Fruitland Park, Florida 34731 at 10:00 a.m.

ACTION: 7:18:24 p.m. No action was taken.

11. ADJOURNMENT

The meeting adjourned at 7:19 p.m.

The minutes were approved at the June 22, 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 2023-034 Preliminary Fire Assessment

MEETING DATE: Thursday, June 22, 2023

DATE SUBMITTED: Thursday, June 8, 2023

SUBMITTED BY: City Treasurer

BRIEF NARRATIVE: Resolution 2023-034 Preliminary Fire Assessment:

Village Residential	\$225.00
Village Fire Cost	<u>\$419,137</u>
Gross Revenue for Villages	\$462,375
Estimated Collection Cost	<u>\$ 43,208</u>
Estimated Net Realized Revenue	\$419,167

FUNDS BUDGETED: None

ATTACHMENTS: Proposed resolution attached

RECOMMENDATION: Approve preliminary fire assessment

ACTION: Adopt Resolution 2023-034

RESOLUTION 2023-034

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE PROVISION OF FIRE SERVICES WITHIN THE VILLAGES OF FRUITLAND PARK BENEFIT AREA IN THE CITY OF FRUITLAND PARK; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AUTHORITY. This Resolution is adopted pursuant to Ordinance No. 2016-007, Sec. 166.041 and Chapter 197, Florida Statutes, Resolution No. 2015-014 and other applicable provisions of law.

SECTION 2. PURPOSE. This Resolution constitutes the Tentative Rate Resolution as provided for in the Ordinance. All capitalized words and terms not defined herein shall have the meanings set forth in Ordinance 2016-007. Unless the context indicates otherwise, words imparting the singular number, include the plural number, and vice versa.

SECTION 3. PROVISION AND FUNDING OF FIRE SERVICES.

(A) Upon the imposition of Fire Service Assessment for fire services, facilities, or programs against Assessed Property located within the Villages of Fruitland Park benefit area of the City of Fruitland Park, as hereafter defined, the City shall provide fire services to such Assessed Property. A portion of the cost to provide such fire services, facilities, or programs shall be funded from proceeds of the Fire Assessment collected within the Villages of Fruitland Park benefit area

of the City of Fruitland Park. The remaining cost, if any, required to provide fire services, facilities, and programs shall be funded by legally available City of Fruitland Park revenues other than Fire Assessment proceeds.

(B) It is hereby ascertained, determined, and declared that each parcel of Assessed Property located within the Village of Fruitland Park benefit area of the City of Fruitland Park will be specially benefitted by the City of Fruitland Park's provision of fire services, facilities, and programs in an amount not less than the Fire Service Assessment imposed against such parcel, computed in the manner set forth in this Tentative Rate Resolution.

SECTION 4. IMPOSITION AND COMPUTATION OF FIRE SERVICE ASSESSMENT. The Fire Service Assessment shall be imposed against all Tax Parcels within the Village of Fruitland Park benefit area of the City of Fruitland Park subject to the assessment as set forth in this Tentative Rate Resolution. The Fire Service Assessment shall be computed in the manner set forth in this Tentative Rate Resolution.

SECTION 5. LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT.

(A) The legislative determinations of special benefit embodied in Ordinance 2016-007 is affirmed and incorporated herein by reference.

(B) The City Commission has determined and declares that the fire services assessment being imposed by the City is being fairly and reasonably apportioned among the Parcels receiving the special benefit.

- (C) The City Commission relies on and adopts the study prepared by Government Services Group, Inc. on behalf of the City of Fruitland Park entitled City of Fruitland Park, Florida, Fire Assessment Memorandum dated June, 2016.
- (D) Institutional Property whose use is wholly exempt from ad valorem taxation under Florida law provides facilities and uses to their ownership, occupants, and memberships as well as the public in general that otherwise might be requested or required to be provided by the City and such property uses serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Services Assessments upon buildings located upon such parcels of Institutional Property whose Building Use is wholly exempt from ad valorem taxation under Florida law. Accordingly, no Fire Services Assessments shall be imposed upon Institutional Buildings located upon a parcel of Institutional Property whose Building Use is wholly exempt from ad valorem taxation under Florida law.
- (E) Government Property provides facilities and uses to the community, local constituents, and the public in general that serve a legitimate public purpose and provide a public benefit. Therefore, it is fair and reasonable not to impose Fire Services Assessments upon parcels of Government Property.
- (F) Government Property that is owed by federal government entities, such as the VA and HUD, due to foreclosures or government-backed grant programs funding housing rehabilitation are neither serving a governmental purpose nor providing a public benefit but are instead being held by these federal government entities in a proprietary capacity. Accordingly, these properties shall not be exempted from the Fire Service Assessment.

**SECTION 6. COST APPORTIONMENT AND PARCEL APPORTIONMENT
METHODOLOGIES.**

- (A) The City proposes to create the Fire Services Assessment Benefit Area, consisting of two sub Assessment Areas. The City benefit area and the Villages of Fruitland Park benefit area. The Benefit areas are shown on the map attached hereto as Appendix D.
- (B) Lake County, Florida will impose its fire assessment in the City Benefit Area.
- (C) The Cost Apportionment and Parcel Apportionment methodology for the Villages Benefit Area as set forth herein are adopted.
 - a. The fire services in the Villages Benefit Area are provided through an interlocal agreement with the Villages Center Community Development District based on the number of single family residential parcels. Therefore, it is fair and reasonable to assess on a per dwelling unit basis for developed parcels.

**SECTION 7. DETERMINATION OF FIRE SERVICES COST;
ESTABLISHMENT OF ANNUAL FIRE SERVICE ASSESSMENT RATES.**

(A) The Fire Services Cost to be assessed and apportioned among benefited parcels in the Villages Benefit Area pursuant to the Cost Apportionment and the Parcel Apportionment for the Fiscal Year commencing October 1, 2023, is the amount determined in the Estimated Fire Service Assessment Rate Schedule, attached hereto as Appendix A. The approval of the Estimated Fire Service Assessment Rate Schedule by the adoption of this Tentative Rate Resolution determines the amount of the Fire Services Cost. The remainder of such Fiscal Year budget for

fire services, facilities, and programs shall be funded from available City of Fruitland Park revenue other than Fire Service Assessment proceeds.

(B) The estimated Fire Service Assessment specified in the Estimated Fire Service Assessment Rate Schedule is hereby established to fund the specified Fire Services Cost determined to be assessed in the Fiscal Year commencing October 1, 2023. No portion of such Fire Services Cost is attributable to impact fee revenue that funds capital improvements necessitated by new growth or development. Further, no portion of such Fire Services Cost is attributable to emergency medical services costs.

(C) The estimated Fire Service Assessment established in this Tentative Rate Resolution shall be the estimated assessment rates applied by the City Manager in the preparation of the updated Fire Assessment Roll for the Fiscal Year commencing October 1, 2023 as provided in Section 8 of this Tentative Rate Resolution.

SECTION 8. ANNUAL FIRE ASSESSMENT ROLL.

(A) The City Manager is hereby directed to prepare, or cause to be prepared, an updated Fire Assessment Roll for the Fiscal Year commencing October 1, 2023, in the manner provided in the Ordinance. The updated Fire Assessment Roll shall include all Tax Parcels subject to the Fire Services Assessment within the in the Villages Benefit Area of the City of Fruitland Park. The City Manager shall apportion the estimated Fire Services Cost to be recovered through Fire Services Assessment in the manner set forth in this Tentative Rate Resolution.

(B) A copy of this Tentative Rate Resolution, Ordinance 2016-007, documentation related to the estimated amount of the Fire Services Cost to be recovered through the imposition of Fire Services Assessment, and the updated Fire Assessment Roll shall be maintained on file in

the office of the City Clerk and open to public inspection. The foregoing shall not be construed to require that the updated Fire Assessment Roll proposed for the Fiscal Year beginning October 1, 2023 be in printed form if the amount of the Fire Services Assessment for each parcel of property can be determined by the use of a computer terminal available to the public.

(C) It is hereby ascertained, determined, and declared that the method of determining the Fire Services Assessment for fire services as set forth in this Tentative Rate Resolution is a fair and reasonable method of apportioning the Fire Services Cost among parcels of Assessed Property located within the Villages of Fruitland Park benefit area of the City of Fruitland Park.

SECTION 9. AUTHORIZATION OF PUBLIC HEARING. There is hereby established a public hearing to be held at 6:00 p.m., or as soon thereafter as the item can be heard, on September 14, 2023, in the Commission Chambers, 506 W. Berckman Street, Fruitland Park, Florida, at which time the City Commission will receive and consider any comments on the Fire Services Assessment from the public and affected property owners and consider imposing Fire Services Assessment and collecting such assessments on the same bill as ad valorem taxes.

SECTION 10. NOTICE BY PUBLICATION. The City Manager shall publish a notice of the public hearing authorized by Section 9 hereof in the manner and time provided in the Uniform Assessment Collection Act. The notice shall be published no later than August 25, 2023, in substantially the form attached hereto as Appendix B.

SECTION 11. NOTICE BY MAIL. The City Commission shall provide first class mailed notice of the public hearing authorized by Section 9 hereof. Such mailed notice shall be in the form required by the Uniform Assessment Collection Act and Ordinance 2016-007 for the purpose of imposing Fire Service Assessment for the Fiscal Year Beginning October 1, 2023. The

notice shall be in substantially the form attached hereto as Appendix C. All first class mailed notices must be mailed no later than August 25, 2023.

If the City determines that the truth-in-millage (“TRIM”) notice that is mailed by the Property Appraiser under section 200.069, Florida Statutes, also fulfills the requirements of this section, then the separate mailing requirement described in this section will be deemed fulfilled by the TRIM notice.

SECTION 12. APPLICATION OF ASSESSMENT PROCEEDS. Proceeds derived by the City of Fruitland Park from the Fire Services Assessment will be utilized for the provision of fire services, facilities, and programs within the Villages of Fruitland Park benefit area of the City of Fruitland Park. In the event there is any fund balance remaining at the end of the Fiscal Year, such balance shall be carried forward and used only to fund fire services, facilities, and programs within the Villages of Fruitland Park benefit area of the City of Fruitland Park.

SECTION 13. EFFECTIVE DATE. This Tentative Rate Resolution shall take effect immediately upon its passage and adoption.

DULY ADOPTED this 22nd day of June 2023.

City of Fruitland Park
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 _____

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

APPENDIX A
Estimated Fire Service Assessment Rate Schedule

1. **Determination of Fire Services Costs.** The estimated Fire Services Cost to be assessed for the Fiscal Year commencing October 1, 2023, is \$419,167.00
2. **Estimated Fire Services Assessment.** The estimated Fire Services Assessment to be assessed and apportioned among benefitted parcels within the Villages of Fruitland Park benefit area pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Fire Services Cost for the Fiscal Year commencing October 1, 2023, is hereby established as follows for the purpose of this Tentative Rate Resolution:

FY 2023-2024 Preliminary Fire Assessment Rates – Villages of Fruitland Park Benefit Area

Residential	\$225.00 per Dwelling Unit
-------------	----------------------------

Total Estimated Gross Revenue	\$462,375.00
-------------------------------	--------------

- A. No Fire Services Assessment shall be imposed upon institutional buildings whose use is wholly tax exempt or upon a parcel of Government Property; except Government Property that is owned by federal entities, such as the VA and HUD, and held in a proprietary capacity shall not be exempted from the Fire Services Assessment.
- B. Any shortfall in the expected Fire Services Assessment proceeds due to any reduction or exemption from payment of the Fire Services Assessment required by law or authorized by the Commission shall be supplemented by any legally available funds, or combination of funds, and shall not be paid for by proceeds or funds derived from the Fire Services Assessment. It is the legislative determination of the Commission that in the event of a court of competent jurisdiction determining any exemption or reduction by the Commission is improper or otherwise adversely affects the validity of the Fire Services Assessment imposed for this Fiscal Year, the sole and exclusive remedy shall be the imposition of a Fire Services Assessment upon each affected Tax Parcel in the amount of the Fire Services Assessment that would have been otherwise imposed save and except for such reduction or exemption afforded to such Tax Parcel by the Commission.

APPENDIX B

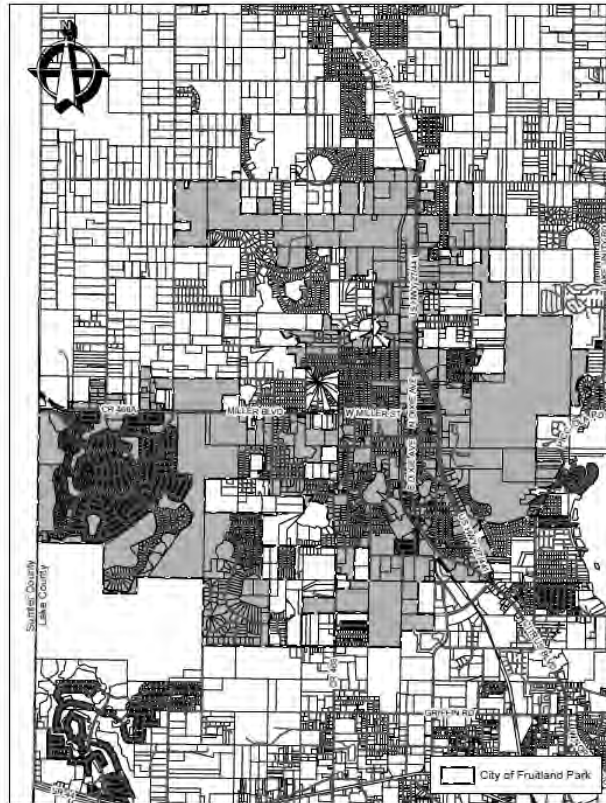
Notice of Public Hearing for Publication

To Be Published on or before August 25, 2023

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Commission of the City of Fruitland Park will conduct a public hearing to consider imposing fire services special assessments for the provision of fire protection services within the Villages Benefit Area of the City for the Fiscal Year beginning October 1, 2023.

On Thursday, September 14, 2023 at 6:00 p.m. or as soon thereafter as possible, the City Commission of the City of Fruitland Park will hold a public hearing at the **Commission Chambers, 506 W. Berckman Street, Fruitland Park, Florida** for the purpose of receiving public comment concerning Resolution 2023-036 setting the rate for the fire services assessment to be imposed on real property within the Villages of Fruitland Park and which provides for collection of fire services assessment by the Lake County Tax Collector. All affected property owners have the right to appear at the public hearing and the right to file written objections within 20 days of the publication of this Notice of Public Hearing.



The fire services assessment for each parcel of property will be based upon each parcel's classification category and the number of billing units within the specified category. The following table reflects the proposed Fire Assessment schedule.

VILLAGES OF FRUITLAND PARK BENEFIT AREA

Residential	\$225.00 per Dwelling Unit
-------------	----------------------------

Persons with disabilities needing assistance to participate in this proceeding should contact the City Clerk at least 48 hours before the meetings at (352) 360-6727. All persons are advised that if he or she decides to appeal any decision made by the Commission with respect to any matter considered at the hearing, the person will need a record of the proceeding, and for such purposes, may need to ensure that a verbatim record of the proceeding is made which includes the testimony and evidence upon which the appeal is made.

Resolution 2015-014, the Fire Services Ordinance 2016-007, the Tentative Rate Resolution 2023-034, and the Fire Assessment Roll are available at the City Clerk's Office, at City Hall located at 506 W. Berckman Street, Fruitland Park, Florida, between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday.

The fire services assessment will be collected on the ad valorem tax bill to be mailed in November 2023, as authorized by section 197.3632, Florida Statutes. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title.

If you have any questions, please contact the City Clerk at (352) 360-6727, Monday through Friday, from 8:00 a.m. to 5:00 p.m. Monday to Friday.

Esther Coulson, City Clerk
City of Fruitland Park

APPENDIX C

Form of Notice to be Mailed First class mail

***** NOTICE TO PROPERTY

OWNER *****

CITY OF FRUITLAND PARK
506 W. Berckman Street,
Fruitland Park, Florida

[owner name]
[mailing address]
[city, state, zip code]

CITY OF FRUITLAND PARK, FLORIDA

NOTICE OF HEARING TO IMPOSE AND
PROVIDE FOR COLLECTION OF FIRE
SERVICES NON-AD VALOREM
ASSESSMENTS

NOTICE DATE: August 25, 2023

Tax Parcel # []

As required by Section 197.3632, Florida Statutes, notice is given by the City of Fruitland Park that an annual assessment for fire services using the tax bill collection method may be levied on your property. The purpose of this assessment is to fund fire protection services benefitting property located within the Villages Benefit Area of the City of Fruitland Park. The total annual Fire Services Assessment revenue to be collected within the Villages Benefit Area of the City of Fruitland Park is estimated to be \$462,375.00 for fiscal year October 1, 2023 – September 30, 2024. The annual fire services assessment is based on the classification of each parcel of property and the number of billing units within the property categories.

The above parcel is classified as [].

The total number of billing units on the above parcel is [].

The type of billing units on the above parcel is [].

The annual Fire Services Assessment for the above parcel is \$[].

The maximum annual fire services assessment that can be charged without further notice for Fiscal Year 2023-24 and for future fiscal years for the above parcel is \$ _____.

A public hearing will be held at 6:00 p.m., or as soon thereafter as the matter may be heard on September 14, 2023, at the Commission Chambers, 506 W. Berckman Street, Fruitland Park, Florida, for the purpose of receiving public comment on the proposed assessment. You and all other affected property owners have a right to appear at the hearing and to file written objections with the City of Fruitland Park within 20 days of this notice. If you decide to appeal any decision made by the City Commission with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. Persons with disabilities needing assistance to participate in this proceeding should contact the City Clerk at least 48 hours before the meetings at (352) 360-6727.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of City Commission's action at the above hearing, such action shall be the final adjudication of the issues presented.

Resolution 2015-014, the Fire Services Ordinance 2016-007, the Tentative Rate Resolution 2023-034, and the Fire Assessment Roll are available at the City Clerk's Office, at City Hall located at 506 W. Berckman Street, Fruitland Park, Florida, between the hours of 8:00 a.m. to 5:00 p.m. Monday to Friday.

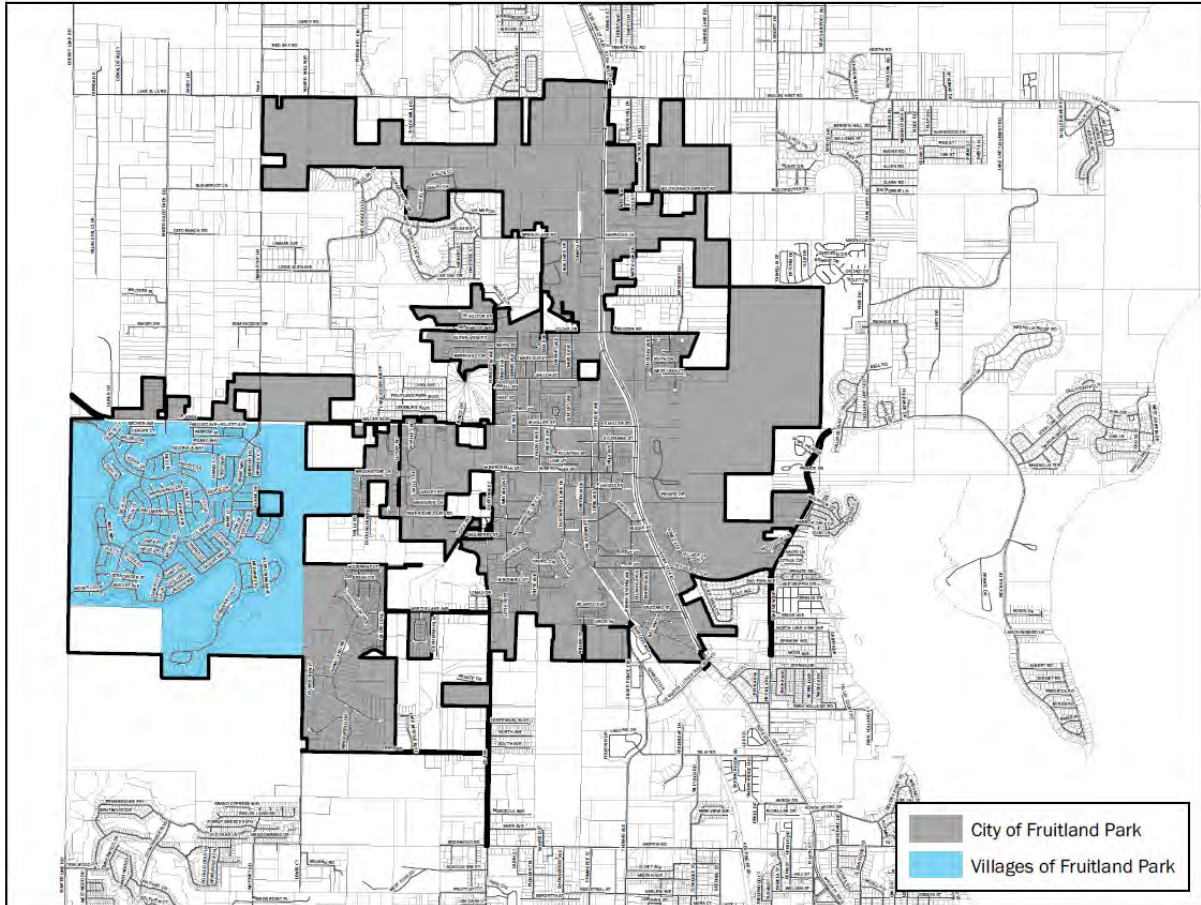
The fire services non-ad valorem assessment amount shown on this notice will be collected by the Lake County Tax Collector on the ad valorem tax bill mailed in November of each year that the assessment is imposed. Failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title.

If there is a mistake on this notice, it will be corrected. If you have any questions, please contact the City at (352) 360-6727, Monday through Friday, from 8:00 a.m. to 5:00 p.m.

* * * THIS IS NOT A BILL * * *

APPENDIX D

MAP SHOWING HISTORICAL FRUITLAND PARK BENEFIT AREA AND VILLAGES OF FRUITLAND PARK BENEFIT AREA



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

ITEM TITLE: Resolution 2023-035 Change Order #5 EJCDC Standard Form of Agreement - \$2,033.49 Increase Secondary Gooseneck to Entrance Gate and Equipment Pads Removal – GSB Construction and Development Inc.

MEETING DATE: Thursday, June 22, 2023

DATE SUBMITTED: Wednesday, June 14, 2023

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

BRIEF NARRATIVE: Resolution 2023-035 – This change order adds a secondary gooseneck to the entrance gate for a proximity card reader along with 30 gate openers to be installed on all public works equipment so employees can access the property without having to get out of equipment each time. The proximity card reader will be used in the future to allow access and record data of who is coming and going from the property because the city is planning to install a fuel station to fuel all city vehicles. The fuel tank housekeeping pads were removed from the contract because it is unknown, currently, what tanks would be used and pads needed to be poured specifically to the tank.

FUNDS REQUIRED: \$2,033.49 (Capital – 30541-60620)

ATTACHMENTS: Proposed Resolution 2023-035 and change order request #5

RECOMMENDATION: Staff recommends approval

ACTION: Adopt Resolution 2023-035

RESOLUTION 2023-035

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CHANGE ORDER NO. 5 TO THE EJCDC STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR ON THE BASIS OF A STIPULATED PRICE BETWEEN THE CITY OF FRUITLAND PARK AND GSB CONSTRUCTION & DEVELOPMENT, INC. TO PROVIDE FOR AN INCREASE OF \$2,033.49 IN THE STIPULATED SUM; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park issued Invitation to Bid No. 2022-01 for construction of the City's public works building 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 GSB Construction & Development Inc. (the "Contract"); and

WHEREAS, the City requested a secondary gooseneck to the entrance gate to be installed for a proximity card reader along with 30 gate openers so employees can access the property without having to exit the equipment each time, and also requested removal of fuel tank housekeeping pads from the contract because they need to be pours specific to the fuel tank installed and the City has not determined the type of fuel tank; and

WHEREAS, the City's requested changes result in a net increase of the Stipulated Sum by \$2,033.49; therefore it is necessary to amend the Contract; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida finds it is in the best interest of the City to approve Change Order No. 5.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The Stipulated Sum set forth in the Contract is increased by \$2033.49.

Section 2. The Commission authorizes the city manager to execute any required approval of such extension including Change Order No. 5, 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 22nd day of June 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

AIA[®] Document G701[™] – 2017

Change Order

PROJECT: *(name and address)*
Fruitland Park Public Works
2601 Spring Lake Rd.
Fruitland Park, FL 34731

OWNER: *(name and address)*
The City of Fruitland Park
506 West Berckman St.
Fruitland Park, FL 34731

CONTRACT INFORMATION:
Contract For: New Construction
Date: October 13, 2022

ARCHITECT: *(name and address)*
GatorSkch Architects
1000 E. Hwy 50, Suite 201A
Clermont, FL 34711

CHANGE ORDER INFORMATION:
Change Order Number: 5
Date: June 2, 2023

CONTRACTOR: *(name and address)*
GSB Construction & Development, Inc.
8470 NE 44th Dr., Suite B
Wildwood, FL 34785

The Contract is changed as follows:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

As per GSB Construction Change Request #5

The original (Contract Sum) (Guaranteed Maximum Price) was	\$	3,234,00.00
The net change by previously authorized Change Orders	\$	(21,265.52)
The (Contract Sum) (Guaranteed Maximum Price) prior to this Change Order was	\$	3,212,734.48
The (Contract Sum) (Guaranteed Maximum Price) will be <u>(increased)</u> (decreased) (unchanged) by this Change Order in the amount of	\$	2,033.49
The new (Contract Sum) (Guaranteed Maximum Price), including this Change Order, will be	\$	3,214,767.97
The Contract Time will be (increased) (decreased) <u>(unchanged)</u> by		() days.
The new date of Substantial Completion will be		

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

GatorSkch Architects

ARCHITECT *(Firm name)*

William Guidry

SIGNATURE

WILLIAM GUIDRY, CA MGR

PRINTED NAME AND TITLE

06/06/2023

DATE

GSB Construction & Development, Inc.

CONTRACTOR *(Firm name)*

SIGNATURE

Dominic Giannini, Pres.

PRINTED NAME AND TITLE

DATE

The City of Fruitland Park

OWNER *(Firm name)*

SIGNATURE

PRINTED NAME AND TITLE

DATE

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

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Change Request

To: GATORSKTCH ARCHITECTS
1000 EAST HWY 50
SUITE 201A
CLERMONT, FL 34711

Number: 5
Date: 6/2/23
Job: 22-23 Fruitland Park Public Works
Phone:

Description: Change Order #5

We are pleased to offer the following specifications and pricing to make the following changes:

1. Add Dual Height Gooseneck and (30) additional transmitters for Gate Operator
2. Omit raised 6" concrete equipment pads at Fuel Storage Canopy

The total amount to provide this work is \$2,033.49
(Please refer to attached sheet for details.)

The schedule is not affected by this change.

If you have any questions, please contact me at 352-748-1949.

Submitted by: DOM GIANNINI

Approved by: _____
Date: _____



Change Request 5 Price Breakdown
Continuation Sheet

Description: Change Order #5

Description	Labor	Material	Equipment	Subcontract	Other	Price
Gooseneck & Gate Transmitters per				\$2,609.26		\$2,609.26
Ocala Fence Quote						
Omit raised eqpt pads @ Storage				\$-760.63		\$-760.63
Canopy per WaveCrest Quote						
Subtotal:						\$1,848.63
OH/P				\$1,848.63	10.00%	\$184.86
Total:						\$2,033.49

ESTIMATE

Ocala Fence
311 NW 11th Place
Ocala, FL 34475
(352) 274-0823

Sales Representative
Brandon Lower
brandon@ocalafence.com



Estimate

BILLING ADDRESS

GSB Construction & Development, Inc.
Job #1114 - Fruitland Park Public Works
2601 Spring Lake Rd
Fruitland Park, FL 34731

Estimate #	E-6179
Date	5/31/2023

ESTIMATES ARE VALID FOR 30 DAYS

Item	Description	Qty	Amount
DBLGooseneck	Dual Height Truck Pedestal 42"/72"H -2" x 2" square post, Black powder-coated, weather-resistant finish	1.00	\$756.80
*850LM	LIFTMASTER 850LM ACC RECEIVER 3 CHNL SEC +2.0	1.00	\$72.11
*811LM	811LM LIFTMASTER- 1 BUTTON DIPSWITCH XMIT-ENCRYPTED	30.00	\$759.30
*5365EKH00	HID MiniProx Proximity Reader- Read Range: up to 5.5'	1.00	\$850.35

THANK YOU FOR YOUR BUSINESS!!

Sub Total	\$2,438.56
FL-Marion (7.0000 %)	\$170.70

When Paying by Cash or Check

Total	\$2,609.26
-------	------------

When Paying by Credit/Debit Card

Convenience Fee	\$78.31
Balance Due*	\$2,687.57

*Credit/Debit card payments include a convenience fee of 2.99%+29¢ per transaction.

TERMS & CONDITIONS



Change Order Request #3

Date: 6/2/23

Project Name: Fruitland Park Public Works

To: GSB Construction

Attention: Dominic Giannini

Cost or Credit for:

Removing the raised equipment pads at the fuel storage canopy per GC's email request.

Labor	\$	-146.37
Material	\$	-614.26
Material & Labor Sub-Total	\$	-760.63
Restocking Fee for Materials Already On-Site	\$	0.00
This Change Will be a Cost Increase to our Contract for the Amount of (tax included)	\$	-760.63

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

ITEM TITLE: RFQ 2023-01 Construction Management Services
“At Risk” New Public Safety Complex - Ranking

MEETING DATE: Thursday, June 22, 2023

DATE SUBMITTED: Thursday, June 15, 2023

SUBMITTED BY: City Manager

BRIEF NARRATIVE: RFQ 2023-01 Construction Management Services
“At Risk” New Public Safety Complex – Motion to consider the ranking, negotiation and approval of Request for Qualifications 2023-01 (Construction Management Services “At Risk”) for the new public safety complex.

D. E. Scorpio Corporation and H J High Construction made presentations at the June 8, 2023 meeting:

FUNDS BUDGETED: None

ATTACHMENTS: None

RECOMMENDATION: Rank and approve one of the above-captioned most qualified proposals.

ACTION: Approve the selection of a firm.

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

ITEM TITLE: 2023 Revised Meeting Schedule

MEETING DATE: Thursday, June 22, 2023

DATE SUBMITTED: Tuesday, June 13, 2022

SUBMITTED BY: City Manager

BRIEF NARRATIVE: 2023 Revised Meeting Schedule – was approved the November 10, 2022 meeting. Staff previously distributed the FY 2023-24 budget calendar with the workshop to be held on August 7 and 8. At the June 8, 2023 meeting, the city commission agreed to consider holding a workshop on July 31 and August 1, 2023.

FUNDS REQUIRED: No

ATTACHMENT None

RECOMMENDATION:

ACTION: Motion to hold the FY 2023-24 budget on July 31 and August 1, 2023.

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

ITEM TITLE: First Reading and Quasi-Judicial Public Hearing -
Ordinance 2023-007 Conditional Use Permit;
Property located at 35421 Micro Racetrack Road,
Petitioner: Ralph W. Thiele

MEETING DATE: Thursday, June 22, 2023

DATE SUBMITTED: Friday, June 16, 2023

SUBMITTED BY: City Attorney/City Manager/Community
Development

BRIEF NARRATIVE: **Ordinance 2023-007** – Conditional Use Permit to allow a 24,000 square feet private garage in a C-2 zoning district for a private garage to store a private antique car collection; Unity of Title was previously approved for alternate keys 2562684 and 1699673 located at 35421 and 35417 Micro Racetrack Road, respectively. (The second reading will be held on July 13, 2023.)

FUNDS REQUIRED: None

ATTACHMENTS: Proposed Ordinance 2023-007, staff report and affidavit.

RECOMMENDATION: The ordinance was approved at the Planning and Zoning Board (P&Z) held June 15, 2023. Ordinance 2023-007 anticipated to be presented at the July 13, 2023 commission meeting date, after confirmation that legal descriptions are correct

ACTION:

ORDINANCE 2023-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW A 24,000 SQUARE FOOT PRIVATE GARAGE LOCATED IN THE C-2 ZONING DISTRICT FOR THE HEREAFTER DESCRIBED LANDS WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; OWNED BY THE RALPH W. THIELE 2021 REVOCABLE TRUST DATED DECEMBER 16, 2021, AND LOCATED AT 35421 MICRO RACETRACK ROAD, FRUITLAND PARK, LAKE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an application has been received from Christopher Thompson and/or Julie Farr as applicants on behalf of the Ralph W. Thiele 2021 Revocable Trust dated December 16, 2021, owner, requesting a Conditional Use Permit pursuant to Chapter 155 of the City Land Development Regulations to allow the property located at 35421 Micro Racetrack Road, Fruitland Park, Florida (the "Property"), to be used for a private garage within the C-2 zoning district; and

WHEREAS, public notice has been provided as required by the Land Development Regulations of the City of Fruitland Park; and

WHEREAS, the Planning and Zoning Commission of the City of Fruitland Park has considered the conditional use permit request in accordance with review criteria set forth in Section 155.010 d) 2), Land Development Code and has made a recommendation to the City Commission.

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

Section 1: Purpose and Intent.

That the Owner of Property in the zoning district of General Commercial (C-2), being situated in the City of Fruitland Park, Florida, shall hereafter be granted a Conditional Use Permit to allow a private garage consisting of 24,000 square feet +/- on the Property.

LEGAL DESCRIPTION: See Exhibit "A".

Alternate Key # 2562684 & 1699673

Section 2: Zoning Classification.

That the Owner of the Property shall be granted a Conditional Use Permit to allow a maximum of a 24,000 square foot private garage on the Property located in the C-2 zoning district in accordance with Chapter 155, Section 155.010 of the Land Development Regulations of the City of Fruitland Park, Florida.

- a) There shall be no outside storage.
- b) The garage is to be used solely for the purpose of storage of the Property owner's personally owned vehicles.
- c) *Building Perimeter Landscaping.* A minimum three (3) foot wide landscape area, with an average of five (5) feet or more, around a minimum of forty (40%) percent of the total building perimeter and within twenty-five (25) feet of the building walls is required.
- d) *Minimum planning requirement.* Once (1) canopy tree or three (3) understory trees, and twenty-eight (28) shrubs shall be required for every three hundred and fifty (350) square feet of planting area is required in the Building Perimeter Landscaping.
- e) The site shall be developed in substantial conformity to the conceptual plan.
- f) The Owner shall comply with all applicable provisions of the Code of Ordinances of the City of Fruitland Park, including obtaining an approved site plan.
- g) The Owner must connect the Property to City sewer within one-hundred-eighty (180) days after the date of official notice from the City that sewer is available.

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: Effective Date.

This Ordinance shall become effective upon passage.

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, CMC, 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"

Commented [AG1]: Is this legal description from the boundary survey because it is different from the legal descriptions on the site plan.

From the Northeast corner of Section 33, Township 18 South, Range 24 East, Lake County, Florida, run thence South 89°47'00" West a distance of 210.00 feet along the North line of the Northeast 1/4 of said Section 33; thence South 00°13'30" East a distance of 360.00 feet along the West line of Sunset Village, a subdivision recorded in Plat Book 28, Page 59, Public Records of Lake County, Florida, to the Point of Beginning of this description; thence continue South 00°13'30" East along said West line of Sunset village a distance of 396.00 feet to the Northerly line of Lot 23 of said subdivision; thence South 89°48'20" West a distance of 606.26 feet along the Northerly line of Lots 23, 22 and 21 of said Sunset Village and their Westerly extension to the Easterly line of the right-of-way of U.S. Highway No. 441-27; thence Northerly along the Easterly line of the right-of-way of U.S. Highway 441-27 to a point that is 360.00 feet South of the North line of the Northeast 1/4 of said Section 33; thence North 89°47'00" East parallel with the North line of the Northeast 1/4 of said Section 33, a distance of 592.28 feet to the Point of Beginning.

TOGETHER WITH A NONEXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AND ALL OTHER LAWFUL PURPOSES OVER, UPON AND ACROSS THE FOLLOWING DESCRIBED PROPERTY:

A part of the Northeast 1/4 of the Northeast 1/4 of Section 33, Township 18 South, Range 24 East, Lake County, Florida, described as follows:

From the intersection of the Easterly right-of-way of U.S. Highway No. 441-27 and the North line of Section 33, Township 18 South, Range 24 East, Lake County, Florida, run thence Southerly along the Easterly right-of-way of Highway 441-27 a distance of 233.00 feet to the Point of Beginning; thence East parallel with the North line of said Northeast 1/4 a distance of 100.91 feet; thence turn to the left an angle of 90° and run North 25.00 feet; thence West parallel with the North line of said Northeast 1/4 a distance of 100.00 feet to the Easterly right-of-way of U.S. Highway 441-27; thence Southerly along said right-of-way 25.02 feet to the Point of Beginning, said easement having been granted in instrument recorded in Official Record Book 869, Page 901, Public Records of Lake County, Florida. TOGETHER WITH A NONEXCLUSIVE EASEMENT FOR INGRESS AND EGRESS OVER, UPON AND ACROSS THE EAST 30.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY AND THE NORTH 25.00 FEET OF THE WEST 81.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY AND AN EASEMENT FOR INGRESS, EGRESS AND PLACEMENT OF A WATER LINE OVER, UPON AND ACROSS THE EAST 50.00 FEET OF THE WEST 131.00 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

Commencing at the Northeast corner of Section 33, Township 18 South, Range 24 East, Lake County, Florida, thence South 89°47'00" West along the North boundary of the Northeast 1/4 of the Northeast 1/4 of said Section 508.98 feet; thence departing from said North boundary South 01°52'12" West 233.01 feet to the Point of Beginning; thence South 89°47'00" West 280.02 feet to an intersection with the East right-of-way line of U.S. Highways 27 and 441 (163.00 feet wide); thence South 01°52'12" West along said right-of-way line 127.23 feet; thence departing from said right-of-way line North 89°47'00" East 280.02 feet; thence North 01°52'12" East, parallel to said East right-of-way line, 127.23 feet to the Point of Beginning. LESS ROAD RIGHT-OF-WAY. Said property being described in instrument recorded in Official Record Book 903, Page 183, Public Records of Lake County, Florida, and described again in corrective instrument recorded in Official Record Book 912, Page 1, Public Records of Lake County, Florida.

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

CONDITIONAL USE PERMIT

Owner: Ralph W Thiele

Applicant: Christopher Thompson and/or Julie Farr

General Location: 35421 Micro Racetrack Road

Number of Acres: 2.93 ± acres

Existing Zoning: C-2

Existing Land Use: COMM (Commercial)

Date: May 26, 2023

Description of Project

A conditional use permit is being requested to develop the subject site for a 24,000 square foot private garage.

	Surrounding Zoning	Surrounding Land Use
North	C-2	Commercial
South	CPUD & C-2	Commercial
East	Ag	Rural
West	Ag	Rural

Assessment

A conditional use permit approval is requested to develop a 24,000 square foot garage on the subject site. The maximum intensity standard for C-2 zoning is limited to 70% impervious surface ratio (which includes building coverage), a maximum floor area ratio of .50, and a maximum building height of thirty-five (35) feet.

The minimum lot size is 20,000 square feet for C-2 zoning, with minimum setbacks of 50' for the front yard, 10' for side yards, and 15' for the rear yard (Section 154.030(9)(G)(i)). The site plan offers a 50' front building setback, 10' side building setbacks, and 15' rear yard setback. These meet the minimum requirements in Section 154.030(9)(G)(i).

The revised conceptual site plan has addressed planning comments and meets the minimum technical standards of Chapter 155, Section 155.010(b)(1).

Review Criteria

Per Chapter 155, Section 155.010(d)(1), in granting any conditional use, the Planning and Zoning Board may recommend and the City Commission may prescribe appropriate conditions and safeguards to ensure compliance with the requirements of this Chapter and the Code in general. Such conditions may include time limits for the initiation of the conditional use, specific minimum or maximum limits to regular Code requirements, or any other conditions reasonably related to the requirements and criteria of this Chapter.

When reviewing an application for a conditional use, the City Commission shall consider the following requirements and criteria:

The proposed use must comply with the adopted Comprehensive Plan and Future Land Use map.

The applicant states that the property is zoned C-2 – General Commercial, with a Commercial - High Intensity future land use designation. Although it will remain a private facility for the duration of the CUP, the proposed development characteristics (building size, impervious surface areas, fire protection facilities, etc) reflect a more intense, commercial development consistent with the zoning and future land use designations, enabling the facility to be easily converted when the CUP ends. The proposed development will also extend the public potable water main from the northeast corner of Micro Racetrack Road/Miller Boulevard approximately 800 linear feet to the north to bring domestic water and fire protection facilities to the site, assisting the City with the extension of its public infrastructure.

The proposed use must comply with FLU Policy 1-4.1: Variety of Commercial Lands. The location and distribution of commercial land use categories delineated on the Future Land Use Map shall be determined according to the following criteria:

- 1) Access and vicinity to U.S. 27/441; ease of access and egress to and from major thoroughfares to commercial sites; ability to achieve a functional internal circulation and off-street parking system.*
- 2) Access to County Roads 466A and 25A; ease of access to collector thoroughfares to commercial sites; ability to achieve a functional internal circulation and off-street parking system.*
- 3) The promotion of sustainable development within mixed-use sites by establishing a pattern of development which reduces the need to travel by car, encourages opportunities for cycling and walking.*
- 4) Ability to comply with adopted performance standards for preventing or minimizing nuisance impacts, such as emission of air pollutants, noise, odor and generation of hazardous waste or products.*
- 5) Ability to provide sufficient buffers and screening for purposes of mitigating impacts to adjacent residential or public facility land uses.*
- 6) Impact to the conservation and preservation of natural resources.*

7) Demand on existing and planned public services, utilities, water resources and energy resources.

Pursuant to FLU Policy 1.4.1, Commercial Designations, commercial land use designations are intended to accommodate all commercial businesses.

Traffic generation and access for the proposed use shall not adversely impact adjoining properties and the general public safety.

The applicant states that the private facility will not generate more traffic than a single-family residence, so it will not adversely impact adjoining properties or public safety.

Staff conducted a trip generation analysis based on the use of storage (ITE Code 150) which would produce 42 daily trips and 5 PM Peak hour trips. The proposed use would be considered a de minimis traffic impact.

Off-street parking, loading and service areas shall be provided and located such that there is no adverse impact on adjoining properties, beyond that generally experienced in the district

The applicant states that a 20' fire access lane has been proposed around the development, and the site has sufficient off-street parking and loading areas to insure there is no adverse impact on the adjoining properties or public right-of-way beyond that generally experienced in the district.

The project as currently designed provides the appropriate off-street parking and loading areas required by the Land Development Regulations (LDRs).

Required yards, screening or buffering, and landscaping shall be consistent with the district in general and the specific needs of abutting land uses.

The applicant states that required setback yards and landscaping are consistent with district standards. Daily traffic will mimic a private residence and all automobile storage will be indoors, mitigating the need for screening or buffering from neighboring properties.

Size, location and number of conditional use permits in the area shall be limited so as to maintain the overall character of the district as intended by the Land Development Code.

The applicant states that the facilities proposed within this CUP fit in well with the intended overall character of the C-2 zoning and Commercial future land use designation, as the facility (pre-fabricated metal building with open interior floor plan) will mimic those of several permitted uses in the C-2 zoning classification, more specifically:

- vii. *Boat Sales and Service*
- ix. *Commercial/Industrial Equipment and Supplies*
- xii. *Equipment Rental*

- xix. Maintenance Contractors
- xxi. Motor Vehicle Service Centers
- xxxii. Wholesalers and Distributors
- xxxvi. Motor Vehicle Repair Facility
- xxxviii. Commercial Parking

There are no CUP uses in the general area that staff is aware of. The closest storage type facility is located approximately 930' south of the subject site along CR 466A known as Village Self-Storage.

Will be compatible with existing and planned uses

The applicant will be required to meet the non-residential design standards of the land development regulations. The proposed structure includes an office and restroom facility. The city's long-term plans for the general area are for mixed use development (residential, commercial, recreational, institutional), multi-modal transportation features which include cross access, pedestrian and bicycle paths. Although private storage facilities are not envisioned for the area, design of the structure to meet the non-residential design standards and provide for office/restroom facility will allow for the proposed structure to be converted to commercial uses in the future.

Will not be injurious to the neighborhood or detrimental to the public welfare

The proposed use generates less traffic than any potential commercial use, provides for landscaping and buffers, provides for future cross access, and provides for pedestrian traffic, therefore no detrimental impact to the public welfare or neighborhood is anticipated.

Recommendation

Should the Commission approve the CUP, staff recommends the following conditions:

- 1) Storage shall be limited to personally owned vehicles.
- 2) *Building Perimeter landscaping.* A minimum three (3) foot wide landscape area, with an average of five (5) feet or more, around a minimum of forty (40) percent of the total building perimeter and within twenty-five (25) feet of the building walls. *Minimum planting requirement.* One (1) canopy tree or three (3) understory trees, and twenty-eight (28) shrubs shall be required for every three hundred and fifty (350) square feet of planting area in (a) above. Trees installed for any other requirement of this Section may be credited towards this requirement if in the required location.

The Villages[®] DAILY SUN

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

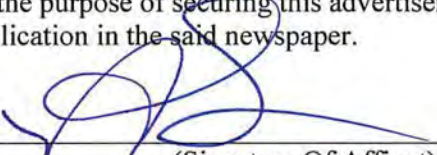
Before the undersigned authority personally appeared **Amber Sevison**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal # **01131747** in the matter of

NOTICE OF PUBLIC HEARING

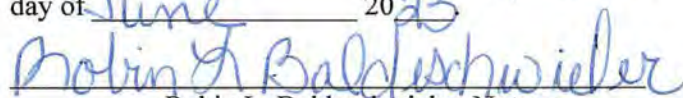
was published in said newspaper in the issues of

JUNE 9, 2023
JUNE 12, 2023

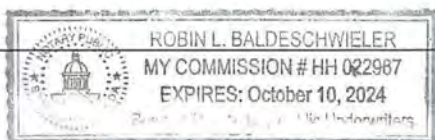
Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second-class mail matter at the post office in Lady Lake,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


Robin L. Baldeschwieler, Notary

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



NOTICE OF PUBLIC HEARING

ORDINANCE 2023-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW A 24,000 SQUARE FOOT PRIVATE GARAGE LOCATED IN THE C-2 ZONING DISTRICT FOR THE HEREAFTER DESCRIBED LANDS WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; OWNED BY THE RALPH W. THIELE 2021 REVOCABLE TRUST DATED 12/16/21, AND LOCATED AT 35421 MICRO RACETRACK ROAD, FRUITLAND PARK, LAKE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE.

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

Planning & Zoning Board Thursday, June 15, 2023 @ 6:00 p.m.
City Commission 1st Reading Thursday, June 22, 2023 @ 6:00 p.m.
City Commission 2nd Reading Thursday, July 13, 2023 @ 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 Ordinance and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed 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.

Location Map



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

ITEM TITLE: CITY MANAGER’S REPORT

MEETING DATE: Thursday, June 22, 2023

DATE SUBMITTED: Friday, June 16, 2023

SUBMITTED BY: City Manager

BRIEF NARRATIVE: City Manager’s Report

- i. Economic Development Status Update
- ii. Commercial Developments Permits Issued Status Report
- iii. Law Enforcement Dispatch Services - Lake County Sheriff’s Office Status Update
- iv. City Treasurer

FUNDS BUDGETED: None

ATTACHMENTS: None

RECOMMENDATION:

ACTION: None

CITY OF FRUITLAND PARK

AGENDA ITEM SUMMARY SHEET

Item Number: 5b

ITEM TITLE: CITY ATTORNEY REPORT
MEETING DATE: Thursday, June 22, 2023
DATE SUBMITTED: June 17, 2023
SUBMITTED BY: City Attorney
BRIEF NARRATIVE: City Attorney Report

U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845 (Judge Baxley): A Final Judgment of Foreclosure was entered March 24, 2023 in the amount of \$52,811.09. The sale was held May 23, 2023 at 11 am. A Certificate of Title was issued to JLH Properties, LLC on June 5, 2023. The winning bid was \$80,100. Since the property sold for more than the judgment amount, the surplus proceeds will be held pending further Order of the Court. Attorney McCulloch will be seeking a portion of the excess proceeds to satisfy the City's lien.

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. On February 2, 2023 the City served Interrogatories and a Request to Produce on Plaintiffs. Plaintiffs filed responses March 6, 2023. No further activity has occurred since the filing of discovery responses.

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. Insurance assigned Roper & Roper to defend the City. An Answer and Affirmative Defenses were filed on July 22, 2022. Discovery has been ongoing. Trial is scheduled on the trial docket beginning February 19, 2024. The City took the deposition of the Records Custodian from Adventhealth Walterman on April 4, 2023. Prior to the deposition it was determined that outstanding medical costs are \$35,222.85. Pre-trial conference has been ordered to occur on October 2, 2023 and for trial to commence during the three-week trial term beginning October 9, 2023. On June 8, 2023 the City served Plaintiff a Proposal for Settlement/Offer of Judgment.

Code of Ordinances Codification: As of February 16, 2023 CivicPlus is in receipt of the City's comments. They are working to prepare proofs for the City's further review.

LDR Codification: CivicPlus was provided the adopted LDRs on September 22, 2022. On April 7, 2023 CivicPlus posted Ordinance 2022-001 which amended and restated the City's LDRs online under Code of Ordinances, "Adopted Ordinances Not Yet Codified."

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, June 22, 2023

DATE SUBMITTED: Thursday, June 15, 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