

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

February 8, 2024

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

Pastor Kelly Smith, Community United Methodist Church

Pledge of Allegiance – Police Chief Erik Luce

2. ROLL CALL

3. SPECIAL PRESENTATION (city clerk)

Proclamation – *Love Week* – February 10-18, 2024

4. 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.

(a) Approval of Minutes (city clerk)

January 25, 2024, regular and workshop meeting minutes.

(b) Resolution 2024-008 - City Treasurer Appointment (city attorney)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING GARY BACHMANN AS CITY TREASURER; PROVIDING FOR THE TERM; AND PROVIDING FOR AN EFFECTIVE DATE.

(c) Resolution 2024-009 - Lake County Library Advisory Board Appointments (city attorney/city manager/library director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A BOARD MEMBER AND AN ALTERNATE BOARD MEMBER TO THE LAKE COUNTY LIBRARY ADVISORY BOARD TO SERVE A FOUR-YEAR TERM; AND PROVIDING FOR AN EFFECTIVE DATE.

5. REGULAR AGENDA

(a) Fire Department Building Demolition – Quotes (city manager/public works director)

The following three quotes for the demolition of the existing firehouse to make way for the new public safety building:

- 1) Logan Sitework Contractors Inc. - \$24,565.00;
- 2) Pece of Mind Environmental Inc. - \$27,400.00;
- 3) Professional Dirt Services Inc. - \$16,000.00.

(b) Fire Department Asbestos Abatement – Quotes (city manager/public works director)

The following two quotes to remove asbestos mastic below original tile at the firehouse before building demolition.

- 1) Pece of Mind Environmental Inc. - \$9,395.00, and
- 2) Clean Building Environmental Contractor Inc. - \$9,971.00

(c) City Manager Recruiting Firm's Status Update Report (city manager)

Recruiting Firm Status Update - Colin Baenziger & Associates

PUBLIC HEARING

(d) First Reading and Public Hearing 2024-003 SRF Amendment No. 2 to Loan Agreement (city attorney/city manager)

AN ORDINANCE OF CITY OF FRUITLAND PARK, FLORIDA, APPROVING STATE REVOLVING FUND AMENDMENT 2 TO LOAN AGREEMENT WW350821 AND GRANT AGREEMENT SG350822 BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE CITY OF FRUITLAND PARK, FLORIDA TO MAKE ADJUSTMENTS TO THE LOAN AMOUNT, SEMIANNUAL LOAN PAYMENT, LOAN SERVICE FEE AND PROJECT COSTS TO REFLECT ACTUAL COSTS AND REDUCTION OF THE LOAN AMOUNT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE. (The second reading will be held on February 22, 2024.)

(e) Second Reading and Public Hearing – Ordinance 2024-002 Solid Waste Rates Increase - Waste Management Inc. (city attorney/city manager/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 January 25, 2024.)

(f) First Reading and Public Hearing - Ordinance 2024-001 CDD Enclave at Lake Geneva – 135.4+ Acres Between Lake Ella Road and South to Spring Lake Road - Petitioner: Lake Sanders Groves Land LLP

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ESTABLISHING THE ENCLAVE AT LAKE GENEVA COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR AUTHORITY AND POWER OF THE DISTRICT; ESTABLISHING THE DISTRICT; PROVIDING FOR THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR MISCELLANEOUS PROVISIONS; AND PROVIDING AN EFFECTIVE DATE. (The second reading will be held on February 22, 2024.)

END OF PUBLIC HEARING

6. (a) City Manager

- i. Economic Development Status Update Report**
- ii. Commercial Developments Permits Issued Status Update Report**
- iii. Comprehensive Plan Status Update Report**

(b) City Attorney

- i. U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845 (Judge Baxley)**
- ii. Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628**

iii. Code of Ordinances – Codification

7. UNFINISHED BUSINESS

8. PUBLIC COMMENTS

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

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

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

(b) Commissioner Bell

(c) Commissioner Gunter, Jr.

(d) Vice Mayor DeGrave

10. MAYOR'S COMMENTS

11. ADJOURNMENT

DATES TO REMEMBER

- February 10-18, 2024, Love Week, *Attitude of Generosity and Service within Fruitland Park*:
 - o February 10, 2024, 5k Love Run, 205 W Berckman Street, Fruitland Park, Florida 34731 at 8:00 a.m.;
 - o February 13, 2024, *Showing Love*;
 - o February 15, 2024, Blood Mobile;
- February 12, 2024, City Commission Lake County Parks, Recreation and Trails Advisory Board, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 3:30 p.m.;
- February 22, 2024, City Commission regular at 6:00 p.m.;
- February 28, 2024, Lake~Sumter Metropolitan Planning Organization Governing Board Meeting, 1300 Citizens Blvd., Suite 175, Leesburg, Florida 34748 at 2:00 p.m.

For additional events, please visit [Calendar | City of Fruitland Park Florida](#).

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:	Special Presentation – Proclamation <i>Love Week</i>
MEETING DATE:	Thursday, February 8, 2024
DATE SUBMITTED:	Thursday, February 1, 2024
SUBMITTED BY:	city clerk
BRIEF NARRATIVE:	<i>Love Week</i> Proclamation – February 10-18, 2024
FUNDS BUDGETED:	None
ATTACHMENTS:	Proclamation and events.
RECOMMENDATION:	
ACTION:	



Proclamation

WHEREAS, since 2015, *Love Week* has been held annually during the second week in February in the City of Fruitland Park, Florida with a series of family and community-based activities; and

WHEREAS, *Operation Bless Fruitland Park* -- launched on January 8, 2015 and supported by the City of Fruitland Park Commission as an ongoing program -- has been meeting periodically; and

WHEREAS, Bless Fruitland Park is a group of volunteers represented by local churches, businesses, civic groups, organizations, leaders, city staff and individuals from Fruitland Park and The Villages who is committed to work together by coordinating its efforts to make a difference and create an atmosphere of generosity within the community; and

WHEREAS, *Bless Fruitland Park's* initial projects, in working together as a group, allowed it to address some immediate needs, maximize resources, and create new relationships along the journey; and

WHEREAS, since inception, Bless Fruitland Park's work through "Generosity Week" each August, has raised donations for Fruitland Park Elementary School where it is believed "So goes the school, so goes the community", and

WHEREAS, in subsequent years, *Bless Fruitland Park*, has united with neighboring communities to expand its *Love Week* activities to make an impact and create an atmosphere of partnership and generosity within the City of Fruitland Park Community; and

WHEREAS, *Bless Fruitland Park*, collectively within the community and with the intentional endeavor, has continuously been devoted to create an attitude of generosity and service within Fruitland Park and surrounding areas; and

WHEREAS, during February 10th to 18th, 2024, *Bless Fruitland Park* will host "LOVE WEEK 2024" with various planned opportunities extending various *Random Acts of Kindness* and special planned activities to the community;

NOW THEREFORE be it proclaimed that I, Chris Cheshire, Mayor of the City of Fruitland Park, Florida, on behalf of the city commissioners, do hereby proclaim the week of February 10th to 18th, 2024 as *LOVE WEEK*; encourage everyone to participate by supporting and joining the community to perform acts of kindness and making a difference in creating an atmosphere of partnership and generosity within our city.

Dated this 8^h day of February 2024.

Chris Cheshire, Mayor
Attest:

Esther Coulson, City Clerk



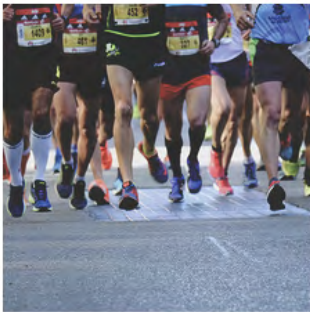
***February 10th -
18th 2024***

WHAT IS LOVE WEEK

During Love Week, we are looking to saturate the Fruitland Park and Wildwood communities with Random Acts of Kindness and special planned activities. This year, we are encouraging local businesses, churches, civic

groups and individuals to join us in our efforts by brainstorming and carrying out your own creative ideas within our neighborhoods and communities. ^{HOME} We are encouraging participants to flood social media with “the good” that is happening in and around us as we care for and encourage one another by taking pictures and using #LOVEWEEK.

Love Week 2024 Opportunities



Fruitland Park Library:

Events happening during “Love Week” at the Fruitland Park Library is as follows:

Wednesday- Children’s Story time, 10:30-11:30 am

Thursday-Beer and chocolate Tasting with Bully Brewing from 4:30 -6:00 pm

For information on how you can participate in these activities, for children’s program activities contact *Skylar Baumann* at (352)-360-6561 or skylar.baumann@mylakelibrary.org. For adult programming activities contact *Liam Wagler* at (352)-360-6561 or liam.wagler@mylakelibrary.org.

Stavros Pizza With A Purpose:

Stavro’s restaurant located at 3223 US-441 #27 in Fruitland Park is giving back...On Monday February 12th, 5 % of all restaurant sales will go to Bless Fruitland Park for further community impact. Impact your community by choosing to eat with us this day. Order out lunch for your office staff,

It's All For The Kids:

dine in our grab a take home for supper. For more information, you can contact Cindy Kountanis, 352-315-0028.

Giving Hearts Day:

On Wednesday February 14th 2023, at 9:00 am, "Project Legacy" will host its "Giving Hands Day" celebration at Heritage Community Church (509 W. Berckman St. in Fruitland Park) in the fellowship hall. The event will gather supporters of Project Legacy as well as recognize some of the area's nonprofit organizations (focusing on child and teen programs) that have received financial assistance from Project Legacy over the past several years. We will also hear about upcoming plans and opportunities. "Trinity Constructors" will be sponsoring this event and provide a light breakfast beginning at 8:45 am. For more information on Project Legacy or the Giving Hearts day event, please contact Mrs. Karen Mercer at g8rlady@gmail.com or 352-406-1769.

Cruisers and Rocketships:

During the month of February, The Fruitland Park Police Department will be collecting items for the Fruitland Park Elementary School challengers. Items needed are as

The men's ministry of the First Christian Church, Disciples of Christ in Wildwood will be holding one of their annual 9 hole scramble golf tournaments at Continental Country Club in Wildwood, Florida on Monday February 12th, to raise funds to support local youth and children's programs. They also have two other golf days on March 11th and April 8th. For more information on how to play or become a sponsor, please contact Mr. Johnny Miller at 352-303-3967.

Blood Mobile:

The Big Red bus will be located at 509 W. Berckman street in Fruitland Park on Wednesday February 14th from 9am - 2 pm. Persons donating will be given a \$20 E Gift card and Free T-Shirt while supplies last. Contact One Blood at 888-936-6283.

Love Week 5K:

Our "Love Run" will be held this year on Saturday February 10th at the Recreation Department in Fruitland Park. The run is a family friendly 5K presented by The City of Fruitland Park. The Love Run 5K is in collaboration with LOVE WEEK. Each year, a week is set aside to promote generosity thru communities,

follows: Boys size 1-4 shoes, boys and girls socks and underwear, headphones,, play dough, paintbrushes, kickballs, and contractors tape. Drop box locations are at Fruitland Park City Hall, Fruitland Park community center, and Fruitland Park library. For more information contact Officer Courtney Corman at 407-230-1670.

Block Party:

Come join us at the Gardenia Park pavilion for a Kids Block Party on Saturday, February 17th (11:00am - 1:00pm). It's FREE! We'll be providing a delicious lunch, arts & crafts, and toys/games for the kids. Non-perishable food items will be accepted for the Connection Point Church Food Pantry. Thank you for showing some love during Love Week! For questions or more information, please contact Mitch Radu at mitch@connectingme.church or 740-975-5636.

The Fruitland Park Lions Club:

will be hosting Diabetes Testing during the "Love Run 5k" on Saturday, February 10th. The Lions club will also be collecting food items to distribute to local food banks prior to "LOVE WEEK." Food

businesses, schools, churches, and other organizations.

Citizen's First Bank:

will be selling raffle tickets for a "basket" valued at \$250 that is filled with Stanley Cups, cooler and other exciting items. Raffle tickets may be obtained and basket viewed at the Citizens First Bank in Fruitland Park. In addition, Citizens First will also be cooking hotdogs for lunch on Friday February 16th at the Fruitland Park branch for a suggested donation of \$7. First responders eat free. Any proceeds will go to Bless Fruitland Park to help us continue impacting our local community. For more information contact Cindi Falanga at 352-751-2104.

Senior Adult Luncheon:

A senior adult fellowship and Bingo is scheduled to be held at the Fruitland Park Recreation Dep. located at 205 W. Berckman St. in Fruitland Park on Wednesday February 14th from 11:30-1:30. For more information on how you can help or be part, contact Michelle Yoder, Fruitland Park recreation director at (352) 516-9149. The meal will be provided. The chorus from Fruitland Park Elementary will also be singing.

items can be dropped off on Tuesday nights from 4:30-9:00 pm at the local Lions Den, located at 200 West Fountain st. in Fruitland Park . For more information on how you, your church, club or civic group can be involved, please contact Mrs. Linda Stevenson at l Stevenson1470@gmail.com or at 860-668-4119.

Diaper Drive:

During the month of February, we will be Collecting of baby diapers, pull ups or adult diapers. Items can be dropped off at Community United Methodist Church located at 309 College ave in Fruitland Park. For more info contact Melinda Milhorn at 352-408-7558.

First Responders and Public service personnel: to be honored during "LOVE WEEK 2023":

Local Churches will be providing cookies and sweets for our local First Responders and Public Works employees during "Love Week". For more info on how you can participate, contact Rev. George Mulford of Grace Bible Baptist Church at gnkmulford@aol.com or 352-516-9134. In addition, Citizens First Bank, located at 3290 US highway 441/27 Fruitland Park will

Random Acts of Kindness:

Drew Davis State Farm will be participating in Random acts of kindness throughout our community.

You can join in on the fun. Discover potential ideas at

<https://www.randomactsofkindness.org/kindness-ideas>

For more information contact Lea Barnwell at 352-901-6334.

Showing Love:

Trinity Assembly of God of Fruitland Park will be providing lunch on Monday February 13th for Fruitland Park Police and Pubic Works department...for more information contact Rev. Chuck Padgett at +1 (352) 661-0274 or Chuck@trinityaogfp.org

**feed First responders free lunch from
11-2 pm on Friday February 16th.**

[HOME](#)

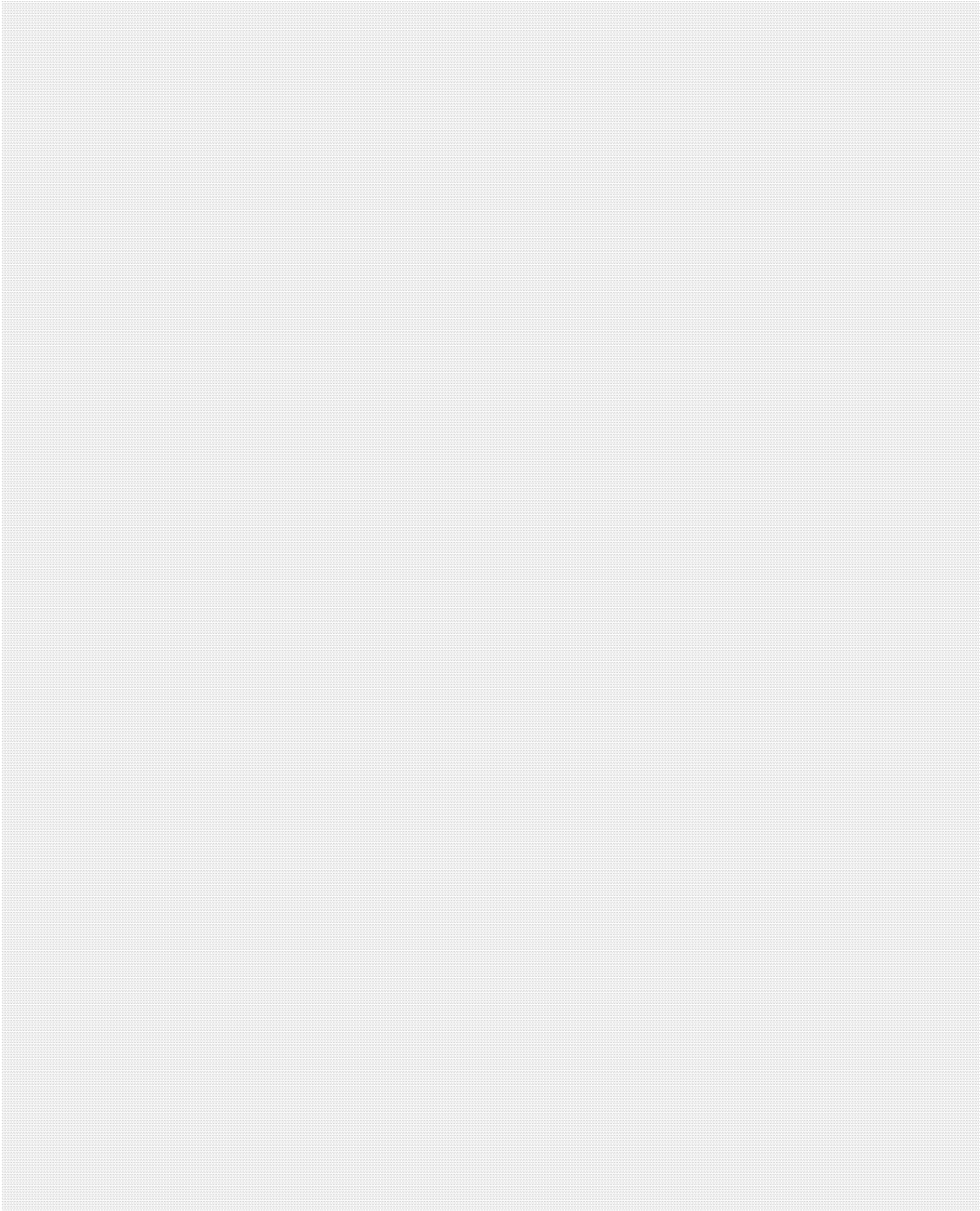
Learn About Bless Fruitland Park



“Bless Fruitland Park” (BFP) began January 2015 and is an ongoing effort of individuals, churches, businesses, local civic and social groups in the Fruitland Park area that are committed to work together to make a difference and create an atmosphere of partnership and generosity within our Fruitland Park Community. Since inception, Bless Fruitland Park’s efforts through “Generosity Week” each August, has raised over \$115,000 in cash and resource donations for Fruitland Park Elementary School. We believe “So goes the School, so goes the Community. For more information, check out the Bless Fruitland Park Facebook page.

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HOME



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

ITEM TITLE: **Draft Meeting Minutes, Resolutions 2024-008 and 2024-009**

MEETING DATE: Thursday, February 8, 2024

DATE SUBMITTED: See below.

SUBMITTED BY: city clerk/city attorney

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.

(a) **Approval of Minutes** (city clerk)
January 11, 2024 regular and workshop meeting minutes. (Submitted: January 31, 2024.)

(b) **Resolution 2024-008 – City Treasurer Appointment** (city attorney)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING GARY BACHMANN AS CITY TREASURER; PROVIDING FOR THE TERM; AND PROVIDING FOR AN EFFECTIVE DATE. (Submitted: February 2, 2024.)

(c) **Resolution 2024-009 – Lake County Library Advisory Board Appointment** (city attorney)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A BOARD MEMBER AND AN ALTERNATE BOARD MEMBER TO THE LAKE COUNTY LIBRARY ADVISORY BOARD TO SERVE A FOUR-YEAR TERM; AND PROVIDING FOR AN EFFECTIVE DATE. (Submitted: February 2, 2024)

FUNDS BUDGETED: None

ATTACHMENTS: Draft minutes and proposed resolutions.

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

ACTION: **Approval**

**FRUITLAND PARK CITY COMMISSION REGULAR
DRAFT MEETING MINUTES
January 25, 2024**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, January 25, 2024, at 6:00 p.m.

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

Members Absent: Vice Mayor Patrick DeGrave. Commissioner John Mobilian participated by telephonic video conference.

Also Present: City Attorney Anita Geraci-Carver; City Treasurer Gary Bachmann; Police Chief Erik Luce; Human Resources Director John Klein; Deputy Finance Director Dennis Bowers; Michael “Mike” Rankin, Interim Community Development Director, LPG Urban & Regional Planners Inc. (consultant retained by the city); Permit and Zoning Technician Keli Fielder, Community Development Department, and City Clerk Esther B. Coulson.

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

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

ACTION: 6:14:37 p.m. No action was taken.

2. ROLL CALL

Mayor Cheshire announced the absence of Vice Mayor DeGrave and recognized Commissioner Mobilian who joined by telephonic video conference.

ACTION: 6:15:06 p.m. Upon Mayor Cheshire’s recommendation, and **by unanimous consent, the city commission excused the absence of Vice Mayor Patrick DeGrave from this evening’s meeting.**

3. CONSENT AGENDA

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

Approval of Minutes

January 11, 2024 regular meeting minutes.

ACTION: 6:15:32 p.m. **On motion of Commissioner Gunter, seconded by Commissioner Bell and unanimously carried, the city commission approved the consent agenda as previously cited.**

4. REGULAR AGENDA

(a) Traffic Signal Maintenance Discussion

Mr. La Venia referred to Lake County's request letter to budget more funds towards traffic signal devices including school flashers at a one-time cost of \$400 per unit and an annual cost of \$450 to be earmarked in the FYs 2024-25 and 2025-26 proposed budget and described the locations involved.

ACTION: 6:30:45 p.m. No action was taken.

PUBLIC HEARING

By unanimous consent, Mayor Cheshire opened the public hearings.

(b) First Reading and Public Hearing – Ordinance 2024-002 Solid Waste Rates Increase - Waste Management Inc.

After Ms. Geraci-Carver read the following title of proposed Ordinance 2024-002, 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.

ACTION: 6:17:44 p.m. After Ms. Geraci-Carver recognized the need to receive the restated solid waste collection agreement (amendment document) following some discussion, **a motion was made by Commissioner Bell and seconded by Commissioner Gunter that the city commission approve Ordinance 2024-002 as previously cited.** (The mayor suggested that the residents be informed on the provision of solid waste collection services on the city's website.)

(c) Second Reading and Public Hearing – Ordinance 2023-020 Comprehensive Plan Amendment Building Heights Restriction

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read the following title of Ordinance 2023-020, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A

MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK FUTURE LAND USE DESIGNATIONS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE. (Continued from the January 11, 2024 meeting. The first reading was held on December 14, 2023.)

Mr. Chris Zipperer, Senatore Inc., (building contractors who own properties on CR 468); addressed the plan to build multi-story buildings above three floors and referred to the zoning ordinance enacted by the city commission in 2018 showing the maximum building height clause *if adequate fire protection measures are provided . . . there shall be a maximum of six multi-story buildings . . .* subject to requirements.

Ms. Geraci-Carver, in response, mentioned her plan to obtain more information and together with staff, to make arrangements to meet with Mr. Zipperer.

ACTION: 6:20:59 p.m. A motion was made by Commissioner Bell and seconded by Commissioner Gunter that the city commission enact Ordinance 2023-020 to become effective immediately as provided by law.

By unanimous consent, Mayor Cheshire closed the public hearing.

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

(d) Second Reading and Public Hearing – Ordinance 2023-019 Land Development Regulations Amendment – Building Heights Restriction

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read the following title of proposed Ordinance 2023-019, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 154 OF THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK ZONING DISTRICTS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK LAND DEVELOPMENT CODE; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE.

(Continued from the January 11, 2024 meeting. The first reading was held on December 14, 2023.)

ACTION: 6:24:32 p.m. A motion was made by Commissioner Gunter and seconded by Commissioner Bell that the city commission enact Ordinance 2023-019 to become effective immediately as provided by law.

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

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

QUASI-JUDICIAL PUBLIC HEARING

(e) Second Reading and Quasi-Judicial Public Hearing – Ordinance 2023-021 MDA 2nd Amendment - Mirror Lake Village PUD Phase II – Maximum Impervious Surface Ratio – Petitioner: Fruitland Park LLC

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read the following title of proposed Ordinance 2023-023, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE MASTER DEVELOPMENT AGREEMENT CONDITIONS OF THE MIRROR LAKE VILLAGE PLANNED UNIT DEVELOPMENT (PUD) TO PROVIDE FOR A MAXIMUM IMPERVIOUS SURFACE RATIO; PROVIDING FOR CONFLICTS, SEVERABILITY, AND SCRIVENER'S ERRORS; AND SETTING AN EFFECTIVE DATE. (Continued from December 14, 2023. The first reading was held on January 11, 2024.)

ACTION: 6:25:42 p.m. After much discussion, a motion was made by Commissioner Gunter and seconded by Commissioner Bell that the city commission enact Ordinance 2023-021 to become effective immediately as provided by law.

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

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

END OF QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

8. (a) City Manager

i. Economic Development Status Update

Mr. La Venia did not address the status on economic development.

ACTION: 6:30:25 p.m. No action was taken.

ii. Commercial Developments Permits Issued Status Update

Mr. La Venia did not give the status of commercial development permits issued.

ACTION: 6:30:25 p.m. No action was taken.

iii. City Manager Recruiting Firms' Proposals Status Update

With respect to the city manager recruiting firms' proposal, Mr. La Venia referred to this day's email from Mr. Colin Baenziger, Colin Baenziger & Associates, addressing his plan to submit a packet to the city commission and relayed his intent to meet with the individual elected officials on February 8, 2024 together with his colleague, prior to appearing before commission at its regular commission meeting or by telephonic conferencing.

ACTION: 6:30:25 p.m. No action was taken.

iv. Holiday Tree Discussion

Mr. La Venia noted that \$15,000 remains in the FY 2023-24 budget for the holiday tree and noted that Parks and Recreation Director Michelle Yoder is seeking vendors to provide a discount.

ACTION: 6:31:54 p.m. No action was taken.

v. T D Bank Discussion

Mr. La Venia referred to the recent meeting held with TD Bank representatives and expressed disappointment with the current services with the city's current financial institution.

Mr. Bachmann pointed out his meeting with Mr. Patrick J. Muphy, TD Bank Vice President, Relationship Manager; gave reasons why he is recommending transitioning all banking needs to TD Bank due to its:

- specialties in municipal banking with governmental entities;
- recognition as the 10 largest banks in the US; named as the *World's Safest Banks*, by Global Finance Magazine; and rated as *The Strongest Bank in North America* by Bloomberg;
- satisfaction from local and surrounding area municipal finance directors;
- lack of issues with direct deposits,
- positive pay for checks and automated clearing house,

- immediate help with 24-7 dedicated customer support service assigned to the city,
- no check fraud, and zero bank fees;
- \$1,000 credit for check stock and other supplies and,
- payments received with adjusted federal interest rates on balances in the account.

ACTION: 6:32:14 p.m. After discussion and **by unanimous consent, the city commission accepted the city treasurer's recommendations to transition the city's banking to TD Bank.**

(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 did not address the U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845.

ACTION: 6:36:30 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 referred to the Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-A-1628 where excess proceeds is being worked on with Mr. Donovan A. Roper, attorney at Roper and Roper P.A, who is handling the cases on the city's behalf, to get the funds awarded, and dispersed to the city which is expected to be closing out shortly.

Ms. Geraci-Carver reported that mediation is tentatively scheduled for April 9, 2024 which she is working on; indicated that an official notice has not yet been received prior to mediation session, and anticipated having a closed-session meeting in the future.

ACTION: 6:36:30 p.m. No action was taken.

iii. Code of Ordinances – Codification

Ms. Geraci-Carver mentioned her confirmation with CivicPlus that draft prints on the city's code is anticipated for the end of February 2024.

ACTION: 6:37:00 p.m. No action was taken.

vi. 0295 Builder, LLC v. City of Fruitland Park, et al, Lake County Case No. 2023-CA-2919

Ms. Geraci-Carver reported that the order on joint stipulation for dismissal pertaining to the 0295 Builder, LLC v. City of Fruitland Park, et al, Lake

County Case No. 2023-C-2919 litigation was entered by the court whereby said case will be removed from the agenda in future.

ACTION: 6:37:19 p.m. No action was taken.

9. UNFINISHED BUSINESS

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

ACTION: 6:37:32 p.m. No action was taken.

10. PUBLIC COMMENTS

Mr. Fred Clark, City of Fruitland Park resident, referred to his previous appearances before the city commission regarding the constant problems experienced with users of all-terrain vehicles (ATVs) in his neighborhood; voiced his disagreement with a police officer's statements that such vehicles are the same as a golf cart, and pointed out a provision under Florida Statutes that ATVs may not be operated on public roads. He expressed concerns on a young family who recently moved in the area and the safety of the neighbors when such vehicle is present and his plea before the commission on several occasions for enforcement which has not been received.

Mr. Steven "Steve" Girard Stivlosky, City of Leesburg resident, mentioned how he has observed charter reviews around the United States, distributed the copies of personhood strategic action plan and a preamble for the charter, and requested that the city proceed towards adopting same; copies of which are filed with the supplemental papers to the minutes of this meeting.

ACTION: 6:37:36 p.m. No action was taken.

11. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

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

ACTION: 6:42:53 p.m. No action was taken.

(b) Commissioner Bell

Commissioner Bell shared improvements in his medical situation.

ACTION: 6:43:00 p.m. No action was taken.

(c) Commissioner Gunter - ATVs

In noting the purpose of ATVs, Commissioner Gunter referred to Mr. Clark's concerns; suggested that the matter of golf carts be reviewed, and pointed out the recent changes in the law on age limits which also ought to be looked into to which Mayor Cheshire indicated that ATVs should not be driven on public roadways.

ACTION: 6:43:26 p.m. No action was taken.

- (d) **Vice Mayor DeGrave**
Vice Mayor DeGrave was absent from this evening's meeting.

ACTION: 6:44:14 p.m. No action was taken.

12. MAYOR'S COMMENTS

(a) **Charter Review Process**

In recognizing the charter review process, Mayor Cheshire shared his point of view that the city charter is to ensure that there is running water, waste collection, law enforcement, and perform as a executive team; however, controversial issues such as abortions is a state level and is not something for him to address in the city.

ACTION: 6:44:14 p.m. No action was taken.

(b) **Building Heights Restriction**

With respect to concerns regarding the building height restriction and the request for a six-story building on CR 466 roadway, Mayor Cheshire voiced his disagreement on same.

ACTION: 6:44:51 p.m. After discussion and **by unanimous consent, the city commission agreed with Mayor Cheshire's request for the city attorney and staff to review the provision outlined in Zoning Ordinance 2018-002.**

(c) **Dates to Remember**

Mayor Cheshire announced the following dates:

- February 8, 2024, City Commission regular at 6:00 p.m.;
- February 10-18, 2024, Love Week, *Attitude of Generosity and Service within Fruitland Park*:
 - February 10, 2024 5k Love Run, 205 W Berckman Street, Fruitland Park, Florida 34731 at 8:00 a.m.;
 - February 13, 2024, *Showing Love*;
 - February 15, 2024, Blood Mobile;
- February 12, 2024, City Commission Lake County Parks, Recreation and Trails Advisory Board, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 3:30 p.m.;
- February 22, 2024, City Commission regular at 6:00 p.m.;
- February 28, 2024, Lake~Sumter Metropolitan Planning Organization (LS~MPO) Governing Board Meeting, 1300 Citizens Blvd., Suite 175, Leesburg, Florida 34748 at 2:00 p.m.;

Due to the absence of Commissioner Moblian, Mr. La Venia relayed Commissioner Bell's desire to serve as a member of the LS~MPO which he accepted.

ACTION: 6:46:26 p.m. After discussion and **on motion of Commissioner Gunter, seconded by Commissioner Bell and unanimously carried, the city commission appointed Commissioner Chris Bell, replacing Commissioner**

John Mobilian, to serve as a member of the Lake~Sumter Metropolitan Planning Organization.

13. ADJOURNMENT

The meeting adjourned at 6:49 p.m.

The minutes were approved at the February 8, 2024, regular meeting.

Signed

Esther B. Coulson, City Clerk, MMC

Signed

Chris Cheshire, Mayor

FRUITLAND PARK CITY COMMISSION WORKSHOP
DRAFT MEETING MINUTES
January 25, 2024

A workshop meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, January 25, 2024, at 6:55 p.m.

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

Members Absent: Vice Mayor Patrick DeGrave and Commissioner John Mobilian

Also Present: City Attorney Anita Geraci-Carver; City Treasurer Gary Bachmann; Police Chief Erik Luce; Human Resources Director John Klein; Deputy Finance Director Dennis Bowers; Michael “Mike” Rankin, Interim Community Development Director, LPG Urban & Regional Planners Inc. (consultant retained by the city); Permit and Zoning Technician Keli Fielder, Community Development Department, and City Clerk Esther B. Coulson.

1. CALL TO ORDER

Mayor Cheshire called the meeting to order at 6:55 p.m.

2. ROLL CALL

After Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was present, he announced the absences of Vice Mayor DeGrave and Commissioner Mobilian.

Upon Mayor Cheshire’s recommendation and **by unanimous consent, the city commission excused the absences of Vice Mayor Patrick DeGrave and Commissioner John Mobilian from this evening’s meeting.**

3. PROPOSED RECOMMENDED CHARTER CHANGES

Ms. Geraci-Carver referred to her February 12, 2023 memorandum regarding the draft charter amendments and ballot questions. She addressed the need to follow existing laws on amending the initiation issues in the charter that does not align with the law and recognized some of the following proposed questions:

- Question 7, City treasurer, Appointment of City Treasurer;
- Question 8, City clerk, Appointment of City Clerk;
- Question 9, City attorney, Removal of city attorney and any assistant city attorney by majority vote of the city commission;
- Question 11, Planning and Zoning Board, Move language establishing the Planning and Zoning (P&Z) Board from the charter to the city code which she indicated should not be in the charter, and
- Question 5, Charter amendments, Require citizen petitions for charter amendments and elections held on amendments to comply general law.

Ms. Geraci-Carver described the procedures for ballot summaries of proposed amendments or other public measures; suggested changing same which are not superseded by Florida

Statutes and impacted directly by the charter if approved, and relayed her recommendation to prioritize.

After discussion, Ms. Geraci-Carver concurred with Mayor Cheshire's suggestion to consider Questions 7, 8, 9, and 11 and consider the other proposed amendments or public measures in 2026. She referred to Questions 7, 8, 9, and 10, Appointment and term of office of city treasurer, city clerk and city attorney, . . . delete language relating to appointment and term of city treasurer, city clerk, and city attorney. . . .

Ms. Geraci-Carver recommended that language under Questions 1 and 11 would move from the charter to the code, with respect to Questions 7, 8 and 10, that there would be two different versions to choose from, and for the following Questions 7 and 8, that alternatives are proposed for the city treasurer and city clerk.

- *Should the Charter of Fruitland Park be amended to provide for the (city treasurer or clerk) to be a city employee hired by and under the direction and authority of the city manager subject to approval by a majority vote of the commission?*

or

- *Should the Charter of Fruitland Park be amended to provide for the (city treasurer/clerk) to be appointed upon recommendation from the city manager and under the day-to-day direction and supervision of the city manager?*

Ms. Geraci-Carver recognized that the provision under Question 10, . . . *If the city treasurer and city clerk are hired by the city manager and not appointed by the city commission, should the provisions relating to the appointment of those positions, the term of appointment, and the process for their removal be deleted from the charter?* She indicated that same would not be applicable if the positions are approved to be hired by the city manager and employed subject to the city manager's control, termination, and discipline which would be a cleanup provision.

Ms. Geraci-Carver addressed the need to review Question 9, . . . *Should the charter of Fruitland Park be amended to make clear that the city attorney and any assistant city attorney serves at the pleasure of the city commission, may be terminated by a majority vote of the commission at any time and without a public hearing?* . . . and Question 10.

- **Charter Provisions for City Code**
The charter provisions for the city code were addressed earlier in the meeting.
- **Charter Review**
The charter review was addressed earlier in the meeting.

4. ESTABLISHING FUTURE MEETING DATES

Following extensive discussions, Ms. Geraci-Carver suggested that she would review the provisions in the proposed questions; provide a concise language in question for the city commission's consideration, and address same in her report at a future meeting.

Ms. Geraci-Carver addressed her plan to give a report by the next meeting to include one change on the questions and the deadline required by the Lake County Supervisors of Elections on the translation of referendums/charter amendments from English to Spanish with an ordinance to appear on the November 2024 General Election Ballot.

Subsequent to further discussion and **by unanimous consent, the city commission agreed with the city attorney's recommendation to provide both alternatives on the proposed questions previously cited.**

5. OTHER BUSINESS

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

6. ADJOURNMENT

The meeting adjourned at 7:20 p.m.

The minutes were approved at the February 8, 2024, regular meeting.

Signed _____
Esther B. Coulson, City Clerk, MMC

Signed _____
Chris Cheshire, Mayor

RESOLUTION 2024-008

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
FRUITLAND PARK, FLORIDA, APPOINTING GARY BACHMANN AS
CITY TREASURER; PROVIDING FOR THE TERM; AND PROVIDING
FOR AN EFFECTIVE DATE.**

WHEREAS, the Charter of the City of Fruitland Park provides for appointment of a city treasurer by the City Commission; and

WHEREAS, it is the City Commission's desire to appoint Gary Bachmann to serve as City Treasurer for the remainder of Fiscal Year 2023-2024.

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

1. Gary Bachmann is hereby appointed as the City Treasurer of the City of Fruitland Park to serve the remainder of the City's Fiscal Year 2023-2024 ending September 30, 2024.

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

PASSED AND RESOLVED this ____ day of _____, 2024, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park
Chris Cheshire, Mayor

Attest:
Esther B. Coulson, City Clerk, MMC

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

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

RESOLUTION 2024-009

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
FRUITLAND PARK, FLORIDA, APPOINTING A BOARD MEMBER AND
AN ALTERNATE BOARD MEMBER TO THE LAKE COUNTY LIBRARY
ADVISORY BOARD TO SERVE A FOUR-YEAR TERM; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City of Fruitland Park is a participant in the Lake County Library System and the City of Fruitland Park Commission is entitled to select an individual to serve as a board member and an alternate board member to service on the Lake County Library Advisory Board; and

WHEREAS, the board member and the alternate will serve a four-year term commencing February 29, 2024 and ending February 29, 2028; and

WHEREAS, it is the City's desire to appoint a board member and an alternate to represent the City of Fruitland Park.

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

1. Tom Harris is hereby appointed to serve as a board member representative of the City of Fruitland Park on the Lake County Library Advisory Board for a four-year term commencing February 29, 2024 and ending February 29, 2028.

2. Robert Ballenger is hereby appointed to serve as an alternate board member representative of the City of Fruitland Park on the Lake County Library Advisory Board for a four-year term commencing February 29, 2024 and ending February 29, 2028.

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

PASSED AND RESOLVED this ____ day of February 2024, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park
Chris Cheshire, Mayor

Attest:
Esther B. Coulson, City Clerk, MMC

Mayor Cheshire ____ (Yes), ____ (No), ____ (Abstained), ____ (Absent)

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

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

PLEASE INDICATE YOUR PREFERENCE

- () CENTENNIAL COMMITTEE
() PLANNING AND ZONING BOARD
() *LAKE COUNTY ARTS AND CULTURAL ALLIANCE
☒ *LAKE COUNTY LIBRARY ADVISORY BOARD
() *LAKE COUNTY PARKS, RECREATION AND TRAILS ADVISORY BOARD
() *LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION (LSMPO)
BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC)
() *LSMPO CITIZENS ADVISORY COMMITTEE (CAC)
() *LSMPO TECHNICAL ADVISORY COMMITTEE (TAC)
() CITY VOLUNTEERS
() COACH - RECREATION
() LIBRARY
() POLICE

NAME: Tom Harris DATE OF BIRTH 11/17/1946
ADDRESS 1139 Linmar Ave CITY/ZIP Fruitland Park 34731
HOME PHONE NO. 352/255-2334 WORK PHONE NO. —
EMAIL ADDRESS tomwillh@comcast.net
LENGTH OF RESIDENCE IN CITY OF FRUITLAND PARK — IN LAKE COUNTY 67 years
EMPLOYED BY Retired LENGTH OF TIME 41 years
ADDRESS — CITY/ZIP —
EXPERIENCE RELATING TO THIS POSITION Teaching for 41 years, avid reader, frequent patron of Fruitland Park Library

SOME THOUGHTS YOU HAVE THAT YOU BELIEVE MIGHT CONTRIBUTE TO IMPROVE THIS BOARD OF: All citizens should have access to public Libraries, for information, educational purposes and access to books for pleasure.

IF APPOINTED, WHAT DO YOU BELIEVE YOUR RESPONSIBILITIES OR DUTIES WOULD BE?

To represent the Fruitland Park Library and its patrons and to be informed about the Lake County Library system
TWO REFERENCES (OTHER THAN FAMILY MEMBERS):
NAME Wanda May ADDRESS 01633 Springlake Rd. F.P. 34731 PHONE 352 728 2244
NAME Rod Ross ADDRESS 1621 Bay Meadows Lane THE Villages 32159 PHONE 352 348 3223
DATE 1/12/24 APPLICANT'S SIGNATURE Tom Harris

Please complete a separate application for each board/commission you wish to serve on and TYPE OR PRINT CLEARLY.

*In addition to this form, please complete Lake County Boards and Committees General Application form accessible under the following link: <https://www.lakecountyfl.gov/boards-and-committees> and return both forms duly completed to the city clerk: 506 W. Berckman Street, Fruitland Park, FL 34731. For more information on other Lake County advisory boards, councils and committees vacancies, please follow the instructions in completing the appropriate applications. Please note that the Lake County Board of County Commissioners may appoint someone who does not reside within the commission districts.

**LAKE COUNTY BOARD/COMMITTEE
GENERAL APPLICATION**

☒ Mr. ☐ Ms. Name: Tom Harris Date: 1/12/24
Home Mailing Address: 1189 Linmor Ave Fruitland Park 34731

Home Physical Address: Same as Above

County of Residence: Lake Home Phone: 852-255-2334

E-mail Address: tomwillh@comcast.com

Education: Masters in Education (FSU), Bachelors in Education (FSU)
A.A. Degree Lake Sumter State College (or community)

Business (Name & Type): Retired Teacher (41 years)

Business Address: —

Business Phone: — Position: Teacher

Training, experience or qualifications related to board/committee to which appointment is sought:

As a teacher for 41 years I know the value of reading
and the significance of libraries in communities

State reasons you are interested in appointment which is sought:

Living in Fruitland Park for 35 years, I have visited the
library often, being retired I love reading. I have
interested in helping out the library and its staff

Do you currently serve on a Lake County board/committee?

☐ Yes ☒ No If yes, please identify each board/committee:

Name of Board/Committee:

Have you served on a Lake County board/committee *in the past*?

☐ Yes ☒ No If yes, please identify each board/committee:

Name of Board/Committee:

Dates Served:

Do you currently work for an entity or agency that either receives funding from, or has a contract with the County to perform services?

☐ Yes ☒ No *If yes, please identify the entity or agency:*

Are you, your spouse or children, currently an officer, director, or partner in any entity or agency that receives funding from, or has a contract with the County?

☐ Yes ☒ No *If yes, please identify the entity or agency:*

Please check board(s)/committee(s) that interest you at this time:

☐ Affordable Housing Advisory Committee

☐ Board of Adjustment

**(SEE IMPORTANT NOTE BELOW REGARDING FINANCIAL DISCLOSURE)*

☐ Board of Building Examiners *(Note: A separate application is required for the Board of Building Examiners)*

**(SEE IMPORTANT NOTE BELOW REGARDING FINANCIAL DISCLOSURE)*

☐ Children's Services Council

☐ Elder Affairs Coordinating Council

☐ Keep Lake Beautiful Advisory Committee

☐ Lake-Sumter MPO – Community Advisory Committee CAC *(Effective January 1, 2019)*

☒ Library Advisory Board

☐ Mt. Plymouth-Sorrento Community Redevelopment Advisory Committee – ***Please check one:***

☐ *Property owner within the Planning Area (OR)*

☐ *Resident or property owner within a three mile radius of the Planning Area*

Regarding the Mt. Plymouth-Sorrento CRA, which of the following do you have experience in? Please check all that apply:

☐ *Land planning*

☐ *Engineering*

☐ *Architecture*

☐ *Ownership or operation of a business*

☐ *Community leadership/volunteerism*

☐ Parks, Recreation and Trails Advisory Board

☐ Planning & Zoning Board

**(SEE IMPORTANT NOTE BELOW REGARDING FINANCIAL DISCLOSURE)*

☐ Public Safety Coordinating Council

☐ Sales Surtax Oversight Advisory Committee

☐ Tourist Development Council

☐ Value Adjustment Board

☐ Water Safety Advisory Committee

☐ Other _____

***YOU WILL BE REQUIRED TO FILE A FINANCIAL DISCLOSURE FORM, PURSUANT TO CHAPTER 112, FLORIDA STATUTES, IF APPOINTED TO THE BOARD OF ADJUSTMENT, THE BOARD OF BUILDING EXAMINERS, OR THE PLANNING AND ZONING BOARD. Also, due to Florida laws regarding dual office holding, citizens cannot serve on more than one of these above-mentioned boards at one time. In the event this occurs, the member will be required to resign from one of the positions.**

References may be secured from the following individuals:

	Name	Address	Favorite	Phone Number
1.	Wanda May	01433 Spring Lake Rd	Park 34731	352 728 2244
2.	Rod Ross	1621 Bay Meadows Lane	The Villages 32154	352 348 3223
3.	Jan Tobias	10133 Bunker Rd. Leesburg	34788	352 406 5213

I will attend meetings in accordance with the adopted policies of Lake County. If at any time my business or professional interests conflict with the interests of this board or committee, I will not participate in such deliberations.

Thomas W. Ham

Signature of Applicant

In completing this application, you are acknowledging that personal information you provide is subject to Florida's Public Records Policy as stated in Chapter 119, Florida Statutes, and Article I, Section 24 of the State Constitution.

Additional information may be attached to this application form.

How did you learn of this vacancy?

☐ Newspaper Ad

☐ Internet

☐ LSSC Channel 13

☐ Friend

☒ Other

Applications are kept on file with the Board of County Commissioners for a period of six months from date of receipt. In the event a vacancy occurs and you are not appointed to a particular board/committee, your application may be reconsidered should another vacancy occur during that six month period.

Please return this completed application to:

Lake County Board of County Commissioners
County Commissioners' Office
P. O. Box 7800
Tavares, FL 32778-7800

PLEASE INDICATE YOUR PREFERENCE

- () PLANNING AND ZONING BOARD
- () *LAKE COUNTY ARTS AND CULTURAL ALLIANCE
- ☒ *LAKE COUNTY LIBRARY ADVISORY BOARD
- () *LAKE COUNTY PARKS, RECREATION AND TRAILS ADVISORY BOARD
- () *LAKE-SUMTER METROPOLITAN PLANNING ORGANIZATION (LSMPO)
- BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (BPAC)
- () *LSMPO CITIZENS ADVISORY COMMITTEE (CAC)
- () *LSMPO TECHNICAL ADVISORY COMMITTEE (TAC)
- () CITY VOLUNTEERS

NAME: Robert J. Ballenger DATE OF BIRTH 3-23-39

ADDRESS 902 DAYBREAK DRIVE CITY/ZIP 34731

HOME PHONE NO. 352-323-0973 WORK PHONE NO. _____

EMAIL ADDRESS N/A

LENGTH OF RESIDENCE IN CITY OF FRUITLAND PARK 19 years IN LAKE COUNTY 19 years

EMPLOYED BY RETIRED LENGTH OF TIME _____

ADDRESS _____ CITY/ZIP _____

EXPERIENCE RELATING TO THIS POSITION Have been on the Library Board for 13 years

SOME THOUGHTS YOU HAVE THAT YOU BELIEVE MIGHT CONTRIBUTE TO IMPROVE THIS BOARD OF: _____

IF APPOINTED, WHAT DO YOU BELIEVE YOUR RESPONSIBILITIES OR DUTIES WOULD BE? _____

TWO REFERENCES (OTHER THAN FAMILY MEMBERS):

NAME Jo Ann Glendinning ADDRESS Library Staff PHONE 352-360-6561

NAME Terry Dohrn ADDRESS Library Staff PHONE _____

DATE 1-19-24 APPLICANT'S SIGNATURE Robert J. Ballenger

Please complete a separate application for each board/commission you wish to serve on and TYPE OR PRINT CLEARLY.

*In addition to this form, please complete Lake County Board Committee General Application form attached or accessible under the following link: https://www.lakecountyfl.gov/advisory_boards_and_committees/application_forms.aspx and return both forms duly completed to the city clerk: 506 West Berckman Street, Fruitland Park, FL 34731. For other Lake County advisory boards and committees' vacancies follow the instructions in completing the appropriate applications. Please note that the Lake County Board of County Commissioners may appoint someone who does not reside within the commission districts. 062721 rev.4

**LAKE COUNTY BOARD/COMMITTEE
GENERAL APPLICATION**

☒ Mr. ☐ Ms. Name: ROBERT J. BALLEWEE Date: 1-19-24

Home Mailing Address: 902 DAYBREAK DRIVE
FRUITLAND PARK FLA 34731

Home Physical Address: _____

County of Residence: LAKE Home Phone: 352-323-0973

E-mail Address: N/A

Education: H.S. GOLF COLLEGE

Business (Name & Type): _____

Business Address: _____

Business Phone: _____ Position: _____

Training, experience or qualifications related to board/committee to which appointment is sought:

HAVE BEEN ON LIBRARY BOARD FOR 15 years

State reasons you are interested in appointment which is sought:

Do you currently serve on a Lake County board/committee?

☒ Yes ☐ No If yes, please identify each board/committee:

Name of Board/Committee: Library Advisory Board

Have you served on a Lake County board/committee *in the past*?

☐ Yes ☐ No If yes, please identify each board/committee:

Name of Board/Committee:	Dates Served:
_____	_____
_____	_____
_____	_____

Do you currently work for an entity or agency that either receives funding from, or has a contract with the County to perform services?

☐ Yes ☒ No If yes, please identify the entity or agency:

Are you, your spouse or children, currently an officer, director, or partner in any entity or agency that receives funding from, or has a contract with the County?

☐ Yes ☒ No If yes, please identify the entity or agency:

Please check board(s)/committee(s) that interest you at this time:

☐ Affordable Housing Advisory Committee

☐ Board of Adjustment

***(SEE IMPORTANT NOTE BELOW REGARDING FINANCIAL DISCLOSURE)**

☐ Board of Building Examiners (*Note: A separate application is required for the Board of Building Examiners*)

***(SEE IMPORTANT NOTE BELOW REGARDING FINANCIAL DISCLOSURE)**

☐ Children's Services Council

☐ Elder Affairs Coordinating Council

☐ Keep Lake Beautiful Advisory Committee

☐ Lake-Sumter MPO – Community Advisory Committee CAC (*Effective January 1, 2019*)

☒ Library Advisory Board

☐ Mt. Plymouth-Sorrento Community Redevelopment Advisory Committee – ***Please check one:***

☐ Property owner within the Planning Area (**OR**)

☐ Resident or property owner within a three mile radius of the Planning Area

Regarding the Mt. Plymouth-Sorrento CRA, which of the following do you have experience in? Please check all that apply:

☐ Land planning

☐ Engineering

☐ Architecture

☐ Ownership or operation of a business

☐ Community leadership/volunteerism

☐ Parks, Recreation and Trails Advisory Board

☐ Planning & Zoning Board

***(SEE IMPORTANT NOTE BELOW REGARDING FINANCIAL DISCLOSURE)**

☐ Public Safety Coordinating Council

☐ Sales Surtax Oversight Advisory Committee

☐ Tourist Development Council

☐ Value Adjustment Board

☐ Water Safety Advisory Committee

☐ Other _____

***YOU WILL BE REQUIRED TO FILE A FINANCIAL DISCLOSURE FORM, PURSUANT TO CHAPTER 112, FLORIDA STATUTES, IF APPOINTED TO THE BOARD OF ADJUSTMENT, THE BOARD OF BUILDING EXAMINERS, OR THE PLANNING AND ZONING BOARD. Also, due to Florida laws regarding dual office holding, citizens cannot serve on more than one of these above-mentioned boards at one time. In the event this occurs, the member will be required to resign from one of the positions.**

References may be secured from the following individuals:

	Name	Address	Phone Number
1.	Jo-Ann Glendinning		352-360-6561
2.	Terry Dohrn		"
3.	James Butler		"

I will attend meetings in accordance with the adopted policies of Lake County. If at any time my business or professional interests conflict with the interests of this board or committee, I will not participate in such deliberations.


Signature of Applicant

In completing this application, you are acknowledging that personal information you provide is subject to Florida's Public Records Policy as stated in Chapter 119, Florida Statutes, and Article I, Section 24 of the State Constitution.

Additional information may be attached to this application form.

How did you learn of this vacancy?

☐ Newspaper Ad ☐ Internet ☐ LSSC Channel 13 ☐ Friend ☒ Other



Please return this completed application to:

Lake County Board of County Commissioners
County Commissioners' Office
P. O. Box 7800
Tavares, FL 32778-7800

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

ITEM TITLE: Fire Department Building Demolition Quotes

MEETING DATE: February 8, 2024

DATE SUBMITTED: January 31, 2024

SUBMITTED BY: city manager/public works director

BRIEF NARRATIVE: Fire Department Asbestos Abatement – following three quotes for the demolition of the existing firehouse to make way for the new public safety building:

- 1) Logan Sitework Contractors Inc. - \$24,565.00;
- 2) Pece of Mind Environmental Inc. - \$27,400.00;
- 3) Professional Dirt Services Inc. - \$16,000.00

FUNDS BUDGETED: \$16,000.00 (30512-60629 PSC Capitol Other Misc.)

ATTACHMENTS: three quotes

RECOMMENDATION: Approval of quote for firehouse demolition to Professional Dirt Services Inc. in the amount of \$16,000.00.

ACTION TO BE TAKEN: Approve staff's recommendation.



December 20, 2023

Attn: Rob Dicus, City of Fruitland Park
rdicus@fruitlandpark.org

Re: Demolition of Fire Station

Rob,

Logan Sitework proposes to perform the following site work tasks associated with demolishing the fire station at 506 W. Berckman St. in Fruitland Park, FL. This bid will be valid through 7/1/2024.

Demolition of Structures - \$24,565

- Pull Demolition Permit
- Notify the DEP of demolition
- Mobilize equipment
- Demolish fire station
- Remove shrubs/trees immediately surrounding the building
- Remove concrete apron in front of the parking bays
- All debris will be hauled to a C&D landfill
- Backfill site if needed to match surrounding existing grade

Exclusions: Seed/Sod, Hazardous Waste Removal, Septic Abandonment(will be additional if found)

An asbestos survey will be needed prior to demolition and removal must be done by a licensed asbestos removal company.

The building will need to be emptied of all household trash and furniture prior to demolition.

Thank you for giving us the opportunity to bid on this work. Please do not hesitate to call if you have any questions.

Sincerely,

M. Brooks Logan

P.O. Box 729 ■ Fruitland Park, FL 34731
Ph. 352.787.8144 ■ Fax 352.787.2726



Asbestos Abatement BID

September 27, 2016

Page 1 of 2

Estimating contact for questions: Steven St. Hilaire– (407)925-1465

CUSTOMER: City of Fruitland Park 506 Berckman Rd. Fruitland Park, FL 34731		PROJECT: Fire Station 506 W Berckman Rd. Fruitland Park, FL 34731	BID #:	VOL #:
CONTACT: Robb Dicus	EMAIL: ridicus@fruitlandpark.org	PHONE: 352 308-6651	FAX:	

Pece Of Mind Environmental, Inc. will furnish all necessary labor, materials, machinery, equipment, worker's compensation insurance, and liability insurance to perform the following scope of work in accordance with the plans and specifications supplied. Any changes or deviation from this scope of work will only be executed upon written notice or change order. Such changes that create extra costs will be added to the original proposal price. Pece Of Mind Environmental, Inc. will not be held responsible for delays, strikes, or matters beyond our control. This proposal is valid for 30 days.

Scope of Work

Asbestos Abatement

Removal of approximately 1700 SF of floor tile carpet and mastic from the firehouse. Pece of Mind Environmental will regulate the work area by sealing all critical barriers with 6 mill fire rated poly, the walls will be protected with a 4' poly splash guard. Negative air machines will be installed with a single chamber decontamination facility will be added. All waste will be double bagged and disposed at an asbestos approved landfill. **\$9,395.00**

Demolition of the Firehouse

Pece of Mind Demolition will demolish the firehouse and remove all concrete and footings. Concrete removal will extend to the asphalt. Price includes demolition, waste removal and permits. No fill included. **\$27,400.00**



Phone: 407-568-3456
Fax: 407-568-1954
1575 Aber Road
Orlando, Florida 32807



Asbestos Abatement BID

September 27, 2016

Page 2 of 2

Estimating contact for questions: Steven St. Hilaire– (407)925-1465

Inclusions	Exclusions
<ul style="list-style-type: none">• Taxes• Permitting• Dumpsters, trucking, and landfill fees• Abatement limited to .506 Berckman Rd.	<ul style="list-style-type: none">• Hazardous waste• Asbestos Inspections/Final Air Clearance• Mold remediation• Utility disconnects or relocation.• Notification fees• Storage of salvaged items• Salvage for others• Utility disconnects or relocation.• Night, weekend, or holiday work• Patching or repairing• Salvage for others• Moving or storage of furnishings• New build-back work• Temporary access to power and water

Cost of Payment & Performance Bond (If Applicable)	2% of contract
Mobilizations Included	1
Terms of Payment	Progress Billing

Signed: _____ Date: _____

POM Signature: _____ Date: _____



Phone: 407-568-3456
Fax: 407-568-1954
1575 Aber Road
Orlando, Florida 32807

1/31/2024

PROFESSIONAL DIRT SERVICES, INC.

10 W. Lakeview Avenue,
Eustis, Florida 32726
(352) 589-7000
(352) 589-7008 FAX

PROJECT TITLE:

DEMOLITION OF EXISTING FIRE STATION/ ADMINISTRATION BUILDING:
506 W. BERCKMAN STREET, FRUITLAND PARK, FLORIDA 34731

SPECIAL QUALIFICATION:

WITH THE CURRENT CONDITIONS OF THE CONSTRUCTION INDUSTRY IS EXPERIENCING, FLUCTUATION IN PRICING IS AFFECTED BY SUPPLY CHAIN DISRUPTIONS (I.E. MATERIALS SUPPLIERS, ASPHALT, CONCRETE, FUEL) AND OTHER FACTORS. PRICES REFLECTED ON THIS QUOTE ARE SUBJECT TO CHANGE UP TO TIME MATERIALS ARE ORDERED AND SHIPPED.

ADDED - SIGNIFICANT MATERIALS COST INCREASED EFFECTIVE JANUARY 1, 2024.

READY MIXED CONCRETE = +\$180.00 PER CY AVERAGE COST

LIMEROCK ROAD BASE = +\$15.50 PER TON

TRUCKING COST = +\$125.00 PER HOUR

ASPHALT HOT MIXED = +\$150.00 PER TON

REINFORCED CONCRETE PIPES (15" - 48") = +120 PERCENT IN COST PER FOOT.

PVC PRODUCTS, DIP AND MJ FITTINGS ACCESSORIES = +140 PERCENT (NOTE: DAILY INCREASE AND DAY TO DAY PURCHASED PRICE IN EFFECT - NO EXCEPTION DUE TO FUEL COST AND DELIVERY CHARGES.

PROPOSAL IS GOOD FOR 60 DAYS AND SUBJECT FOR REVIEW AFTER 60 DAY PERIOD.

Description	Quantity	UM	Unit Cost	Item cost
<u>DEMOLITION OF EXISTING FIRE STATION/ ADMINISTRATION BUILDING:</u>				
1 CITY OF FRUITLAND PARK DEMOLITION PERMITS	1	EA	500.00	500.00
2 INSTALL TYPE III SILTFENCE, MAINTENANCE AND REMOVAL	220	LF	3.00	660.00
3 DEMOLITION AND DISPOSAL OF EXISTING FIRE HOUSE (APPROX. 2442 SF) AND ADMINISTRATION OFFICE (APPROX. 2075 SF)	1	LS	12,640.00	12,640.00
4 BUILDING FOOT PRINT - GRADING, LEVELING AND CLEAN UP	1	LS	1,200.00	1,200.00
5 MAINTENANCE OF TRAFFIC AND MOBILIZATION/DEMOBILIZATION	1	LS	1,000.00	1,000.00

DEMOLITION AND DISPOSAL TOTAL

16,000.00

PROPOSAL QUALIFICATIONS AND EXCLUSIONS:

- 1 All utilities serving the structures for demolition are to be disconnected or decommissioned by others prior to our demolition start schedule.
- 2 All demolition debris accumulated are bid hauloff from site.
- 3 No import fill dirt included for leveling or grading of building foot print.
- 4 Demolition of all concrete sidewalk attached to building are included, existing asphalt and base are excluded and to be protected.
- 5 No sod, landscaping, irrigation replacement or repair is included in our proposal.

1/31/2024

PROFESSIONAL DIRT SERVICES, INC.

10 W. Lakeview Avenue,
Eustis, Florida 32726
(352) 589-7000
(352) 589-7008 FAX

6 No asbestos or any hazardous materials are included and to be removed by others.

Proposal Submitted By:
Professional Dirt Services, Inc.
State Certified CUC057021

Lito B. de Torres
Chief Estimator
Todd lealy
Project Manager

1-31-2024

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

ITEM TITLE: Fire Department Asbestos Abatement Quotes

MEETING DATE: February 8, 2024

DATE SUBMITTED: January 31, 2024

SUBMITTED BY: city manager/public works director

BRIEF NARRATIVE: Fire Department Asbestos Abatement – following two quotes to remove asbestos mastic below original tile at the firehouse before building demolition.

- 1) Pece of Mind Environmental Inc. - \$9,395.00, and
- 2) Clean Building Environmental Contractor Inc. - \$9,971.00

FUNDS BUDGETED: \$16,000.00 (30512-60629 PSC Capitol Other Misc.)

ATTACHMENTS: two quotes (see Item 5a for Pece of Mind Environmental Inc.)

RECOMMENDATION: Approval of quote for asbestos abatement to Pece of Mind Demolition in the amount of \$9,395.00.

The quote from Pece of Mind Demolition has two separate quotes: one for asbestos abatement and the other for demolition of the existing firehouse. Signed approval of this quote needs to specify approval of just the asbestos abatement portion in the amount of \$9,935.00.

ACTION TO BE TAKEN: Approve staff's recommendation.



Proposal

Date: 11/30/23

To: Mr. Robb Dicus
City of Fruitland Park

Job Site: Fire Station
506 West Berckman St.
Fruitland Park, FL 34731

352-360-6795

rdicus@fruitlandpark.org

We propose to furnish all labor, materials, equipment and insurance necessary for the removal and disposal of asbestos contaminated materials per scope of work, located at the above referenced project location.

All work to be done in compliance with EPA and OSHA rules, regulations and guidelines and to be done in a timely workmanlike manner by AHERA trained certified abatement technicians.

All asbestos containing materials will be properly disposed of in an authorized landfill.

Scope of Work

Removal, hauling and disposal of approximately 1700 Sq. Ft. asbestos floor tile with associated mastic under multiple layers of flooring.

All work to be done in a negative air pressure containment with HEPA filtration.

Chemical solvent will be used to dissolve mastic, no floor grinding.

No final air clearance.

Proposed Amount: \$ 9,971.00

Nine Thousand Nine Hundred Seventy One Dollars.

Payment to be made: **In full upon completion, add 3.5% if paid with credit card.**

Any alteration, deviation from above specifications involving extra cost will be executed only upon orders. The additional work will create extra charge over and above the estimate. All agreements contingent upon strikes, accidents delays beyond our control. Note: This proposal may withdrawn by us within 30 days.

Submitted by: **Kevin J. Klein, Owner**

Acceptance of Proposal:

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Accepted by: _____

Date of Acceptance: _____

CleanBuilding, Inc.
7250 Astro St., Winter Park, FL 32792
Phone: 407-478-0627
www.CleanBuilding.com
FL Lic. #'s: CGC1517907, CJC1154180, CMC1249946, MRSR229 & MRSA1825

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

ITEM TITLE: City Manager Recruiting Firm's Status Update Report

MEETING DATE: February 8, 2024

DATE SUBMITTED: January 31, 2024

SUBMITTED BY: city manager

BRIEF NARRATIVE: City Manager Recruiting Firm's Status Update Report – Recruiting Firm Status Update - Colin Baenziger & Associates

FUNDS BUDGETED: None

ATTACHMENTS:

RECOMMENDATION:

ACTION TO BE TAKEN:

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

ITEM TITLE: First Reading and Public Hearing 2024-003 SRF Amendment No. 2 to Loan Agreement

MEETING DATE: February 8, 2024

DATE SUBMITTED: February 2, 2024

SUBMITTED BY: city attorney

BRIEF NARRATIVE: Ordinance 2024-003 SRF Amendment No 2. to Loan Agreement

The City of Fruitland Park, Florida entered into a loan agreement authorizing a State Revolving Fund loan for Project No. WW350821 in the amount of \$2,767,953 of which \$908,229 is pursuant to the grant agreement for project designated as SG350822. In August of 2023, the loan agreement was amended in Amendment 1 adopted by Ordinance 2023-011 to extend the time to complete construction activities and repayment schedule.

Since then, the loan amount has been reduced by \$316,519 which also reduces the loan service fee. It is necessary to further amend the loan agreement to account for the reduced loan amount, decreased loan service fee total, as well as adjustments to the semi-annual loan payment amounts, resulting from a reduction in actual costs.

Attached is the State Revolving Fund Amendment 2 to Loan Agreement WW350821 & Grant Agreement SG350822 with the Department of Environmental Protection and City of Fruitland Park.

FUNDS BUDGETED: None

ATTACHMENTS: Proposed ordinance, Am. fee schedule, and rates

RECOMMENDATION: Approval

ACTION TO BE TAKEN: Approve or deny Ordinance 2024-003.

ORDINANCE 2024-003

AN ORDINANCE OF CITY OF FRUITLAND PARK, FLORIDA, APPROVING STATE REVOLVING FUND AMENDMENT 2 TO LOAN AGREEMENT WW350821 AND GRANT AGREEMENT SG350822 BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE CITY OF FRUITLAND PARK, FLORIDA TO MAKE ADJUSTMENTS TO THE LOAN AMOUNT, SEMIANNUAL LOAN PAYMENT, LOAN SERVICE FEE AND PROJECT COSTS TO REFLECT ACTUAL COSTS AND REDUCTION OF THE LOAN AMOUNT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park, Florida entered into a loan agreement authorizing a State Revolving Fund loan for Project No. WW350821 in the amount of \$2,767,953 of which \$908,229 is pursuant to the grant agreement for project designated as SG350822, which was amended in Amendment 1 adopted by Ordinance 2023-011 to extend the time to complete construction activities and repayment schedule; and

WHEREAS, the loan amount is reduced by \$316,519 which also reduces the loan service fee, and therefore it is necessary to further amend the loan agreement to account for the reduced loan amount, decreased loan service fee total, as well as adjustments to the semi-annual loan payment amounts, resulting from a reduction in actual costs; and

WHEREAS; the City of Fruitland Park, Florida, desires to enter into the State Revolving Fund Amendment 2 to Loan Agreement WW350821 & Grant Agreement SG350822 with the Department of Environmental Protection for project financing.

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

SECTION I. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION II. The State Revolving Fund Amendment 2 to Loan Agreement WW350821 & Grant Agreement SG350822 with the Department of Environmental Protection City of Fruitland Park, attached hereto, is approved.

SECTION III. The mayor is hereby designated as the authorized representative to execute Amendment No 2. which will become a binding obligation in accordance with its terms when signed by both parties.

SECTION IV. All ordinances or parts of ordinances, all resolutions or part of resolutions in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION V. If any section or portion of a section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Ordinance.

SECTION VI. This Ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2024.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, MMC, City Clerk
(SEAL)

Anita Geraci-Carver, City Attorney

Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice Mayor 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 _____

**STATE REVOLVING FUND
AMENDMENT 2 TO LOAN AGREEMENT WW350821
& GRANT AGREEMENT SG350822
CITY OF FRUITLAND PARK**

This amendment is executed by the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (Department) and the CITY OF FRUITLAND PARK, FLORIDA, (Local Government) existing as a local governmental entity under the laws of the State of Florida. Collectively, the Department and the Local Government shall be referred to as “Parties” or individually as “Party”.

The Department and the Local Government entered into a State Revolving Fund Loan Agreement, Number WW350821 as amended, authorizing a Loan amount of \$2,767,953, excluding Capitalized Interest, and Grant Agreement, Number SG350822, authorizing a Grant amount of \$908,229; and

The Loan Amount, Semiannual Loan Payment amount, Loan Service Fee, and Project costs need adjustment to reflect actual costs; and

Certain provisions of the Agreement need to be revised.

The Parties hereto agree as follows:

1. The total Loan amount awarded is reduced by \$316,519. The revised total Loan amount awarded is \$2,451,434 and the Grant amount is \$908,229.
2. The Loan Service Fee is \$49,029. The fee represents two percent of the Loan amount excluding Capitalized Interest; that is, two percent of \$2,451,434.
3. The total amount of the Loan to be repaid is \$1,592,234. This consists of \$2,451,434 disbursed to the Local Government minus the Grant amount of \$908,229, plus accrued Capitalized Interest of \$0 and service fee charges of \$49,029.
4. The Semiannual Loan Payment amount is hereby revised and shall be in the amount of \$39,805.85. Such payments shall be received by the Department on August 15, 2024 and semiannually thereafter on February 15 and August 15 of each year until all amounts due hereunder have been fully paid.
5. Subsection 2.03(1) of the Agreement is deleted and replaced as follows:
 - (1) The financial assistance authorized pursuant to this Loan Agreement consists of the following:

State Resources Awarded to the Local Government Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:					
State Program Number	Funding Source	CSFA Number	CSFA Title or Fund Source Description	Funding Amount	State Appropriation Category
Original Agreement	Wastewater Treatment and Stormwater Management TF	37.077	Wastewater Treatment Facility Construction	\$2,451,434	140131
State Program Number	Funding Source	CSFA Number	CSFA Title or Fund Source Description	Funding Amount	State Appropriation Category
Original Agreement	Small Community Wastewater Grant	37.075	Federal Grants Trust Fund	\$908,229	143276

6. Project Costs are revised as follows:

The Local Government and the Department acknowledge that changes in Project costs may occur as a result of an audit. Unless this Agreement is amended subsequent to an audit, the following Project disbursements shall be final.

CATEGORY	PROJECT COSTS (\$)
Construction and Demolition	2,451,434
Less Grant funding	(908,229)
Capitalized Interest	0
TOTAL (Loan Principal Amount)	1,543,205

7. All other terms and provisions of the Loan Agreement shall remain in effect.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

This Amendment 2 to Loan Agreement WW350821 and Grant Agreement SG350822 may be executed in two or more counterparts, any of which shall be regarded as an original and all of which constitute but one and the same instrument.

IN WITNESS WHEREOF, the Department has caused this Agreement to be executed on its behalf by the Secretary or Designee and the Local Government has caused this Agreement to be executed on its behalf by its Authorized Representative and by its affixed seal. The effective date of this Agreement shall be as set forth below by the Department.

for
CITY OF FRUITLAND PARK

Mayor

Attest:

Approved as to form and legal sufficiency:

City Clerk
SEAL

City Attorney

for
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Secretary or Designee

Date

Florida State Revolving Fund
Amortization Schedule Report

Sponsor: Fruitland Park
Funding Number: CW-350821

Loan Number	Payment #	Payment	Date	Rate	Principal	Interest	GAA Fees	Service Fee	SF Int	Total to Pay
CW-350821	1	\$39,805.85	Aug 15, 2024	0.000 %	\$0.00	\$0.00	\$0.00	\$39,805.85	\$0.00	\$1,543,205.00
	2	\$39,805.85	Feb 15, 2025	0.000 %	\$30,582.70	\$0.00	\$0.00	\$9,223.15	\$0.00	\$1,512,622.30
	3	\$39,805.85	Aug 15, 2025	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,472,816.45
	4	\$39,805.85	Feb 15, 2026	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,433,010.60
	5	\$39,805.85	Aug 15, 2026	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,393,204.75
	6	\$39,805.85	Feb 15, 2027	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,353,398.90
	7	\$39,805.85	Aug 15, 2027	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,313,593.05
	8	\$39,805.85	Feb 15, 2028	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,273,787.20
	9	\$39,805.85	Aug 15, 2028	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,233,981.35
	10	\$39,805.85	Feb 15, 2029	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,194,175.50
	11	\$39,805.85	Aug 15, 2029	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,154,369.65
	12	\$39,805.85	Feb 15, 2030	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,114,563.80
	13	\$39,805.85	Aug 15, 2030	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,074,757.95
	14	\$39,805.85	Feb 15, 2031	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,034,952.10
	15	\$39,805.85	Aug 15, 2031	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$995,146.25
	16	\$39,805.85	Feb 15, 2032	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$955,340.40
	17	\$39,805.85	Aug 15, 2032	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$915,534.55
	18	\$39,805.85	Feb 15, 2033	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$875,728.70
	19	\$39,805.85	Aug 15, 2033	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$835,922.85
	20	\$39,805.85	Feb 15, 2034	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$796,117.00
	21	\$39,805.85	Aug 15, 2034	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$756,311.15
	22	\$39,805.85	Feb 15, 2035	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$716,505.30
	23	\$39,805.85	Aug 15, 2035	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$676,699.45
	24	\$39,805.85	Feb 15, 2036	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$636,893.60
	25	\$39,805.85	Aug 15, 2036	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$597,087.75

Florida State Revolving Fund
Amortization Schedule Report

Sponsor: Fruitland Park
Funding Number: CW-350821

Loan Number	Payment #	Payment	Date	Rate	Principal	Interest	GAA Fees	Service Fee	SF Int	Total to Pay
CW-350821	26	\$39,805.85	Feb 15, 2037	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$557,281.90
	27	\$39,805.85	Aug 15, 2037	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$517,476.05
	28	\$39,805.85	Feb 15, 2038	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$477,670.20
	29	\$39,805.85	Aug 15, 2038	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$437,864.35
	30	\$39,805.85	Feb 15, 2039	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$398,058.50
	31	\$39,805.85	Aug 15, 2039	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$358,252.65
	32	\$39,805.85	Feb 15, 2040	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$318,446.80
	33	\$39,805.85	Aug 15, 2040	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$278,640.95
	34	\$39,805.85	Feb 15, 2041	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$238,835.10
	35	\$39,805.85	Aug 15, 2041	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$199,029.25
	36	\$39,805.85	Feb 15, 2042	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$159,223.40
	37	\$39,805.85	Aug 15, 2042	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$119,417.55
	38	\$39,805.85	Feb 15, 2043	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$79,611.70
	39	\$39,805.85	Aug 15, 2043	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$39,805.85
	40	\$39,805.85	Feb 15, 2044	0.000 %	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CW-350821 Totals					\$1,543,205.00	\$0.00	\$0.00	\$49,029.00	\$0.00	

Combined								
Date	Payment #	Payment	Principal	Interest	GAA Fees	Service Fee	SF Int	Left To Pay
8/15/2024	1	\$39,805.85		\$0.00	\$0.00	\$39,805.85	\$0.00	\$1,543,205.00
2/15/2025	2	\$39,805.85	\$30,582.70	\$0.00	\$0.00	\$9,223.15	\$0.00	\$1,512,622.30
8/15/2025	3	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,472,816.45
2/15/2026	4	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,433,010.60
8/15/2026	5	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,393,204.75

Florida State Revolving Fund
Amortization Schedule Report

Sponsor: Fruitland Park
Funding Number: CW-350821

Combined								
Date	Payment #	Payment	Principal	Interest	GAA Fees	Service Fee	SF Int	Left To Pay
2/15/2027	6	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,353,398.90
8/15/2027	7	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,313,593.05
2/15/2028	8	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,273,787.20
8/15/2028	9	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,233,981.35
2/15/2029	10	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,194,175.50
8/15/2029	11	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,154,369.65
2/15/2030	12	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,114,563.80
8/15/2030	13	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,074,757.95
2/15/2031	14	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$1,034,952.10
8/15/2031	15	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$995,146.25
2/15/2032	16	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$955,340.40
8/15/2032	17	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$915,534.55
2/15/2033	18	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$875,728.70
8/15/2033	19	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$835,922.85
2/15/2034	20	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$796,117.00
8/15/2034	21	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$756,311.15
2/15/2035	22	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$716,505.30
8/15/2035	23	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$676,699.45

Florida State Revolving Fund
Amortization Schedule Report

Sponsor: Fruitland Park
Funding Number: CW-350821

Combined								
Date	Payment #	Payment	Principal	Interest	GAA Fees	Service Fee	SF Int	Left To Pay
2/15/2036	24	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$636,893.60
8/15/2036	25	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$597,087.75
2/15/2037	26	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$557,281.90
8/15/2037	27	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$517,476.05
2/15/2038	28	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$477,670.20
8/15/2038	29	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$437,864.35
2/15/2039	30	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$398,058.50
8/15/2039	31	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$358,252.65
2/15/2040	32	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$318,446.80
8/15/2040	33	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$278,640.95
2/15/2041	34	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$238,835.10
8/15/2041	35	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$199,029.25
2/15/2042	36	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$159,223.40
8/15/2042	37	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$119,417.55
2/15/2043	38	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$79,611.70
8/15/2043	39	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$39,805.85
2/15/2044	40	\$39,805.85	\$39,805.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total		\$1,592,234.00	\$1,543,205.00	\$0.00	\$0.00	\$49,029.00	\$0.00	

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

ITEM TITLE: Second Reading and Public Hearing 2024-002
Sixth Extension to Restated Solid Waste Collection
Franchise Agreement – Waste Management Inc.

MEETING DATE: February 8, 2024

DATE SUBMITTED: January 17, 2024

SUBMITTED BY: city attorney/city manager/city treasurer

BRIEF NARRATIVE: **Ordinance 2024-002** increases solid waste collections effective March 1, 2024 per the contract that allows an annual increase each January. The consumer price index change is 6.45% and a fuel surcharge has been omitted. 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 \$31.80 per month and this year it will be \$32.73 per month for an increase of \$0.92. This is an increase of 2.91%. (The first reading was held on January 25, 2024.)

FUNDS BUDGETED: None

ATTACHMENTS: Ordinance, fee schedule, and rates

RECOMMENDATION: Approval

ACTION TO BE TAKEN: Enact Ordinance 2024-002 to become effective immediately.

ORDINANCE 2024-002

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

Second Reading

Approved as to form and legality:

Anita Geraci-Carver, City Attorney

Exhibit "B"

City of Fruitland Park Collection and Disposal Rates

Effective 2/01/24-6/30/24

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
\$ 22.48	\$ 4.33	\$ -	\$ 26.81

Commercial Handstops

	Garbage Collection	Disposal	Fuel	Rate Per Month
Commercial curb 1x week	\$ 19.42	\$ 8.44	\$ -	\$ 27.86
Commercial curb 2x week	\$ 24.79	\$ 8.95	\$ -	\$ 33.74

Commercial Dumpsters (Rate/month) Rates Effective 7/1/2023

Qty/Size/Frequency	Garbage Coll.	Garbage Disp.	Fuel	Coll./Disp/ Fuel
1-2yd X 1 WEEK	\$ 52.72	\$ 37.87	\$ -	\$ 90.59
1-2yd X 2 WEEK	\$ 105.45	\$ 75.74	\$ -	\$ 181.19
1-2yd X 3 WEEK	\$ 158.19	\$ 113.61	\$ -	\$ 271.80
1-2yd X 4 WEEK	\$ 210.87	\$ 151.48	\$ -	\$ 362.35
1-2yd X 5 WEEK	\$ 263.60	\$ 189.35	\$ -	\$ 452.95
1-2yd X 6 WEEK	\$ 316.33	\$ 227.20	\$ -	\$ 543.53
1-4yd X 1 WEEK	\$ 97.90	\$ 75.74	\$ -	\$ 173.64
1-4yd X 2 WEEK	\$ 195.75	\$ 151.48	\$ -	\$ 347.23
1-4yd X 3 WEEK	\$ 293.68	\$ 227.22	\$ -	\$ 520.90
1-4yd X 4 WEEK	\$ 391.53	\$ 302.96	\$ -	\$ 694.49
1-4yd X 5 WEEK	\$ 489.43	\$ 378.70	\$ -	\$ 868.13
1-4yd X 6 WEEK	\$ 587.29	\$ 454.45	\$ -	\$ 1,041.74
1-6yd X 1 WEEK	\$ 135.53	\$ 113.61	\$ -	\$ 249.14
1-6yd X 2 WEEK	\$ 271.14	\$ 227.22	\$ -	\$ 498.36
1-6yd X 3 WEEK	\$ 406.64	\$ 340.83	\$ -	\$ 747.47
1-6yd X 4 WEEK	\$ 542.20	\$ 454.44	\$ -	\$ 996.64
1-6yd X 5 WEEK	\$ 677.75	\$ 568.05	\$ -	\$ 1,245.80
1-6yd X 6 WEEK	\$ 813.27	\$ 681.66	\$ -	\$ 1,494.93
1-8yd X 1 WEEK	\$ 150.64	\$ 151.48	\$ -	\$ 302.12
1-8yd X 2 WEEK	\$ 301.21	\$ 302.96	\$ -	\$ 604.17
1-8yd X 3 WEEK	\$ 451.83	\$ 454.44	\$ -	\$ 906.27
1-8yd X 4 WEEK	\$ 602.40	\$ 605.92	\$ -	\$ 1,208.32
1-8yd X 5 WEEK	\$ 753.03	\$ 757.40	\$ -	\$ 1,510.43
1-8yd X 6 WEEK	\$ 903.64	\$ 908.88	\$ -	\$ 1,812.52

Commercial Dumpsters (Rate/month) Rates Effective 7/1/2023

Qty/Size/Frequency	Garbage Coll.	Garbage Disp.	Fuel	Coll./Disp
1-2yd X 1 WEEK	\$ 69.39	\$ 37.87	\$ -	\$ 107.26
1-2yd X 2 WEEK	\$ 138.79	\$ 75.74	\$ -	\$ 214.53
1-2yd X 3 WEEK	\$ 208.18	\$ 113.61	\$ -	\$ 321.79
1-2yd X 4 WEEK	\$ 277.53	\$ 151.48	\$ -	\$ 429.01
1-2yd X 5 WEEK	\$ 346.92	\$ 189.35	\$ -	\$ 536.27
1-2yd X 6 WEEK	\$ 416.32	\$ 227.22	\$ -	\$ 643.54
1-4yd X 1 WEEK	\$ 128.85	\$ 75.74	\$ -	\$ 204.59
1-4yd X 2 WEEK	\$ 257.62	\$ 151.48	\$ -	\$ 409.10
1-4yd X 3 WEEK	\$ 386.50	\$ 227.22	\$ -	\$ 613.72
1-4yd X 4 WEEK	\$ 515.29	\$ 302.96	\$ -	\$ 818.25
1-4yd X 5 WEEK	\$ 644.12	\$ 378.70	\$ -	\$ 1,022.82
1-4yd X 6 WEEK	\$ 772.92	\$ 454.44	\$ -	\$ 1,227.36
1-6yd X 1 WEEK	\$ 178.37	\$ 113.61	\$ -	\$ 291.98
1-6yd X 2 WEEK	\$ 356.83	\$ 227.22	\$ -	\$ 584.05
1-6yd X 3 WEEK	\$ 535.16	\$ 340.83	\$ -	\$ 875.99
1-6yd X 4 WEEK	\$ 713.59	\$ 454.44	\$ -	\$ 1,168.03
1-6yd X 5 WEEK	\$ 891.97	\$ 568.05	\$ -	\$ 1,460.02
1-6yd X 6 WEEK	\$ 1,070.33	\$ 681.66	\$ -	\$ 1,751.99
1-8yd X 1 WEEK	\$ 198.25	\$ 151.48	\$ -	\$ 349.73
1-8yd X 2 WEEK	\$ 396.42	\$ 302.96	\$ -	\$ 699.38
1-8yd X 3 WEEK	\$ 594.64	\$ 454.44	\$ -	\$ 1,049.08
1-8yd X 4 WEEK	\$ 792.80	\$ 605.92	\$ -	\$ 1,398.72
1-8yd X 5 WEEK	\$ 991.04	\$ 757.40	\$ -	\$ 1,748.44
1-8yd X 6 WEEK	\$ 1,189.27	\$ 908.88	\$ -	\$ 2,098.15

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:** 2013 to 2023

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	HALF1	HALF2
2013	411.126	411.805	412.305	413.675	414.511	414.802	416.505	417.760	418.357	419.687	421.427	422.237		
2014	422.440	422.483	423.413	425.393	425.242	425.930	426.562	426.771	427.327	427.995	427.808	428.187		
2015	427.734	429.248	429.235	429.807	431.234	430.813	431.229	432.967	433.843	434.829	436.428	436.996		
2016	437.205	438.296	437.699	437.676	438.317	437.858	438.607	439.358	439.707	440.311	443.343	444.745		
2017	446.266	447.699	446.987	447.129	447.272	448.046	448.328	448.717	449.008	452.196	453.820	453.596		
2018	453.354	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	475.687	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	491.003	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	512.722	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	533.078	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
2023	570.412	575.697	576.773	580.124	587.431	589.812	596.167	597.347	596.997	597.569	601.631	602.164	580.042	598.646

Index Change = 36.446

CPI Change 6.45%

Fuel + CPI Applied 6.45%

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-23	3.886	0.00%	4.15
Nov-23	4.052		
Oct-23	4.322		
Sep-23	4.43		
Aug-23	4.343		
Jul-23	3.843		
Jun-23	3.729	0.00%	4.15
May-23	3.816		
Apr-23	4.048		
Mar-23	4.171		
Feb-23	4.459		
Jan-23	4.671		
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

Waste Mgt Colleciton Disposal Rates
Jan 2024

RATE	(R)RE	FY 23 G	New Rate	GB	Fuel	FP	FP	IND AMT	Last Year	Difference	%	Waste
CODE	(C)CO	DESC	FY23	DISP	Surcharge	ADMIN	FF	BILLED	FY2023	fm last year	Increase	Mgt
SWR001	R	Residential	22.48	4.33	0.00	2.94	2.98	32.73	29.94	2.78	9.29%	26.81
SWC002	C	Commercial curb 1x week	19.42	8.44	0.00	2.94	3.08	33.88	31.47	2.41	7.65%	27.86
SWC001	C	Commercial curb 2x week	24.79	8.95	0.00	2.94	3.67	40.35	37.28	3.07	8.23%	33.74
SWC003	C	1-2yd X 1 WEEK	52.72	37.87	0.00	2.94	9.35	102.88	96.35	6.53	6.78%	90.59
SWC004	C	1-2yd X 2 WEEK	105.45	75.74	0.00	2.94	18.41	202.54	189.48	13.07	6.90%	181.19
SWC037	C	1-2yd X 3 WEEK	158.19	113.61	0.00	2.94	27.47	302.21	282.59	19.62	6.94%	271.80
	C	1-2yd X 4 WEEK	210.87	151.47	0.00	2.94	36.53	401.81	375.67	26.14	6.96%	362.34
		1-2yd X 5 WEEK	263.60	189.35	0.00	2.94	45.59	501.48	468.78	32.70	6.98%	452.95
		1-2yd X 6 WEEK	316.33	227.20	0.00	2.94	54.65	601.12	561.90	39.22	6.98%	543.53
SWC005	C	1-4yd X 1 WEEK	97.90	75.74	0.00	2.94	17.66	194.24	182.11	12.13	6.66%	173.64
SWC006	C	1-4yd X 2 WEEK	195.75	151.48	0.00	2.94	35.02	385.19	360.92	24.27	6.72%	347.23
SWC020	C	1-4yd X 3 WEEK	293.68	227.22	0.00	2.94	52.38	576.22	539.81	36.41	6.74%	520.90
	C	1-4yd X 4 WEEK	391.53	302.96	0.00	2.94	69.74	767.17	718.64	48.53	6.75%	694.49
		1-4yd X 5 WEEK	489.43	378.70	0.00	2.94	87.11	958.18	897.50	60.68	6.76%	868.13
		1-4yd X 6 WEEK	587.29	454.45	0.00	2.94	104.47	1,149.15	1,076.35	72.80	6.76%	1,041.74
SWC008	C	1-6yd X 1 WEEK	135.53	113.61	0.00	2.94	25.21	277.29	260.49	16.80	6.45%	249.14
SWC009	C	1-6yd X 2 WEEK	271.14	227.22	0.00	2.94	50.13	551.43	517.81	33.62	6.49%	498.36
SWC022	C	1-6yd X 3 WEEK	406.64	340.83	0.00	2.94	75.04	825.45	775.04	50.41	6.50%	747.47
	C	1-6yd X 4 WEEK	542.20	454.44	0.00	2.94	99.96	1,099.54	1,032.33	67.21	6.51%	996.64
		1-6yd X 5 WEEK	677.75	568.05	0.00	2.94	124.87	1,373.61	1,289.60	84.02	6.52%	1,245.80
		1-6yd X 6 WEEK	813.27	681.66	0.00	2.94	149.79	1,647.66	1,546.84	100.82	6.52%	1,494.93
SWC011	C	1-8yd X 1 WEEK	150.64	151.48	0.00	2.94	30.51	335.57	316.89	18.68	5.89%	302.12
SWC012	C	1-8yd X 2 WEEK	301.21	302.96	0.00	2.94	60.71	667.82	630.49	37.33	5.92%	604.17
SWC018	C	1-8yd X 3 WEEK	451.83	454.44	0.00	2.94	90.92	1,000.13	944.12	56.01	5.93%	906.27
	C	1-8yd X 4 WEEK	602.40	605.92	0.00	2.94	121.13	1,332.39	1,257.71	74.68	5.94%	1,208.32
		1-8yd X 5 WEEK	753.03	757.40	0.00	2.94	151.34	1,664.71	1,571.36	93.35	5.94%	1,510.43
	C	1-8yd X 6 WEEK	903.64	908.88	0.00	2.94	181.55	1,997.01	1,884.99	112.01	5.94%	1,812.52
SWC007		2-4yd X 1 WEEK	195.80	151.48	0.00	2.94	35.02	385.24	360.98	24.27	6.72%	347.28
SWC010		2-6yd X 2 WEEK	542.28	454.44	0.00	2.94	99.97	1,099.63	1,032.39	67.23	6.51%	996.72
SWC013		2-6yd X 1 WEEK	271.06	227.22	0.00	2.94	50.12	551.34	517.75	33.59	6.49%	498.28
SWC014		2-8yd X 1 WEEK	301.28	302.96	0.00	2.94	60.72	667.90	630.54	37.36	5.92%	604.24
SWC015		1-2ydX 1 WK, 2-4ydX 2 WK	444.22	340.83	0.00	2.94	78.80	866.79	811.72	55.07	6.78%	785.05
SWC016		8ydX3 WK & CC X 1 WK	471.25	462.88	0.00	2.94	93.71	1,030.78	972.36	58.42	6.01%	934.13
SWC017		1-2yd 1-4yd X 1 WEEK	150.62	113.61	0.00	2.94	26.72	293.89	275.22	18.67	6.78%	264.23
SWC019		2-8yd & 4yd X 1 WEEK	399.18	378.70	0.00	2.94	78.08	858.90	809.41	49.49	6.11%	777.88
SWC021		2-2yd X 1 WK, 1-2yd X 2 WK	210.89	151.48	0.00	2.94	36.53	401.84	375.71	26.14	6.96%	362.37
SWC023		2-4yd X 2 WEEK	391.50	302.96	0.00	2.94	69.74	767.14	718.61	48.53	6.75%	694.46
SWC024		2-2yd X 2 WEEK	210.90	151.48	0.00	2.94	36.53	401.85	375.72	26.14	6.96%	362.38
SWC025		8yd X 4 WK & CC X 1 wk	621.82	614.36	0.00	2.94	123.91	1,363.03	1,285.94	77.09	5.99%	1,236.18
SWC026		2yd & 4yd X 2 Week	301.20	227.22	0.00	2.94	53.14	584.50	547.16	37.33	6.82%	528.42
SWC027		8yd X 5 WK & CC X 1WK	772.45	765.84	0.00	2.94	154.12	1,695.35	1,599.60	95.76	5.99%	1,538.29
SWC028		2-8yd x 2	602.42	605.92	0.00	2.94	121.13	1,332.41	1,257.74	74.67	5.94%	1,208.34
SWC029		2-2yd X 1 WEEK	105.44	75.74	0.00	2.94	18.41	202.53	189.46	13.07	6.90%	181.18
SWC030		3-2yd X 1 WEEK	158.16	113.61	0.00	2.94	27.47	302.18	282.58	19.60	6.94%	271.77
SWC031		2-4yd 4-RES	273.48	185.24	0.00	2.94	46.17	507.83	473.92	33.90	7.15%	458.72
SWC032		3-8yd X 2 WEEK	903.63	908.88	0.00	2.94	181.55	1,997.00	1,884.99	112.00	5.94%	1,812.51
SWC033		2-CC X 2 WEEK	49.58	17.90	0.00	2.94	7.04	77.46	71.32	6.14	8.61%	67.48
SWC034		2 yd & 6yd X 1	188.25	151.48	0.00	2.94	34.27	376.94	353.61	23.33	6.60%	339.73
SWC035		6yd X 3 & CC X 1	426.06	349.27	0.00	2.94	77.83	856.10	803.28	52.82	6.58%	775.33
SWC036		6yd X 5 WK & CC X 1 WK	697.17	576.49	0.00	2.94	127.66	1,404.26	1,317.83	86.43	6.56%	1,273.66
SWR003		RES/STP/MLTP		18.44	0.00	2.94	2.14	23.52	20.47	3.05	14.89%	18.44

The Villages DAILY SUN

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

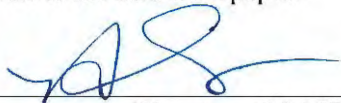
Before the undersigned authority personally appeared **Amber Sevison**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal # 1171805 in the matter of

NOTICE OF ORDINANCE 2024--002

was published in said newspaper in the issues of

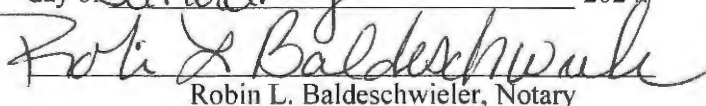
January 27, 2024

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.

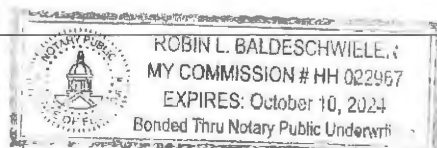


(Signature Of Affiant)

Sworn to and subscribed before me this 30
day of January 2024


Robin L. Baldeschwieler, Notary

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



ORDINANCE 2024--002

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 January 25, 2024.)

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 8, 2024 at 6:00 p.m. in the commission chambers of city hall, 506 West Berckman Street, Fruitland Park, Florida 34731. This meeting is open to the public and hearings may be continued as determined by the commission from time to time to a time certain. 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)

#1171805 January 27, 2024

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

ITEM TITLE: First Reading and Public Hearing Ordinance 2024-001 CDD Enclave at Lake Geneva – 135.4± Acres Between Lake Ella Road and South to Spring Lake Road - Petitioner: Lake Saunders Groves Land LLP

MEETING DATE: February 8, 2024

DATE SUBMITTED: February 2, 2024

SUBMITTED BY: city attorney

BRIEF NARRATIVE: **Ordinance 2024-001 CDD Enclave at Lake Geneva**
Petition to Establish Enclave at Lake Geneva Community Development District. The application seeks to establish a community development district for Enclave at Lake Geneva project submitted by Petitioner, Lake Saunders Groves Land, LLC, which property lies within the City's municipal boundaries. The Property has a future land use designation of Multiple Family High Density, and a zoning of PUD. The development is projected to contain approximately 396 residential dwelling units on 135.4 +/- acres of land.

The Petition proposes that the CDD will "finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for" (1) parks and facilities for indoor and outdoor recreational, cultural, and educational uses and (2) for security, including, but not limited to guardhouses, fences and gates, electronic intrusion detection systems, and patrol cars, each as authorized and described by Section 190.012(2)(a) and (d), *Florida Statutes*.

The City will own and maintain the utilities; however, roads, drainage, landscape and lakes will be owned and maintained by the CDD. Amenities will be owned and maintained by the CDD and landowner.

Statutory factors the Commission is required to consider and make determination to grant or deny the petition:

- a. Whether all statements contained within the petition have been found to be true and correct.
- b. Whether the establishment of the district is inconsistent with any applicable element or portion of the state comprehensive plan or of the effective local government comprehensive plan.

- c. Whether the area of land within the proposed district is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developable as one functional interrelated community.
- d. Whether the district is the best alternative available for delivering community development services and facilities to the area that will be served by the district.
- e. Whether the community development services and facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities.
- f. Whether the area that will be served by the district is amenable to separate special-district government.

FUNDS BUDGETED: None

ATTACHMENTS: proposed ordinance, exhibits (affidavit forthcoming)

RECOMMENDATION: Approve Ordinance 2024-001.

ACTION TO BE TAKEN: **Approve or deny Ordinance 2024-001.**

ORDINANCE. 2024-001

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ESTABLISHING THE ENCLAVE AT LAKE GENEVA COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR AUTHORITY AND POWER OF THE DISTRICT; ESTABLISHING THE DISTRICT; PROVIDING FOR THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR MISCELLANEOUS PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Lake Saunders Groves Land, LLP (“**Petitioner**”), as the owner of one hundred percent (100%) of the real property and consenting to be included in the proposed District (hereinafter defined), has filed a Petition to Establish Enclave at Lake Geneva Community Development District (“**Petition**”) with the City Commission (“**City Commission**”) of the City of Fruitland Park, Florida (“**City**”) pursuant to Section 190.005(2)(e), *Florida Statutes*, as amended, to adopt an ordinance establishing Enclave at Lake Geneva Community Development District (“**District**”) pursuant to Chapter 190, *Florida Statutes*, as amended; and

WHEREAS, all interested persons and affected units of general-purpose local government were afforded an opportunity to present oral and written comments on the Petition at a duly noticed public hearing conducted by the City Commission, pursuant to Sections 190.005(2)(e) and 190.005(1)(d), *Florida Statutes*, as amended; and

WHEREAS, upon consideration of the record established at that hearing, the City Commission has considered the record of the public hearing and the statutory factors set forth in Section 190.005(1)(e), *Florida Statutes*, as amended, in making its determination to grant or deny the Petition; and

WHEREAS, the owner(s) of one hundred percent (100%) of the real property to be included in the District have consented to the establishment of the District; and

WHEREAS, the City, in determining whether to establish the District, has considered and finds that all statements contained in the Petition are true and correct; and

WHEREAS, the City has considered and finds that the establishment of the District is not inconsistent with any applicable element or portion of the state comprehensive plan or the City Comprehensive Plan; and

WHEREAS, the City has considered and finds that the area of land within the District is of sufficient size, is sufficiently compact, and is sufficiently contiguous to be developed as one functional interrelated community; and

WHEREAS, the City has considered and finds that the District is the best alternative available for delivering the community development services and facilities to the area that will be served by the District; and

WHEREAS, the City has considered and finds that the community development services and facilities of the District will not be incompatible with the capacity and uses of exiting local and regional community development services and facilities; and

WHEREAS, the City has considered and finds that the area that will be served by the District is amenable to separate special-district government; and

WHEREAS, establishment of the District will constitute a timely, efficient, effective, responsive and economic way to deliver community development services in the area described in the Petition; and

WHEREAS, the establishment of the District shall not act to amend any land development approvals governing the land area to be included within the District; and

WHEREAS, pursuant to the information as stated above, the City Commission has decided to grant the Petition.

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

SECTION 1. RECITALS. The above recitals are adopted as Findings of Fact in support of this Ordinance.

SECTION 2. AUTHORITY. This Ordinance is adopted in compliance with and pursuant to the Uniform Community Development Act of 1980, Chapter 190, *Florida Statutes*, as amended.

SECTION 3. DISTRICT NAME. There is hereby established a community development district situated entirely within the incorporated limits of the City, which District shall be known as “Enclave at Lake Geneva Community Development District.”

SECTION 4. EXTERNAL BOUNDARIES OF THE DISTRICT. The external boundaries of the District are described in **Exhibit A** attached hereto and incorporated herein by reference, the overall boundaries encompassing 135.4 acres, more or less. There are no parcels within the external boundaries of the District which are to be excluded from the District. **Exhibit B** depicts the general location of the District.

SECTION 5. FUNCTIONS AND POWERS. The powers and functions of the District are described in Chapter 190, *Florida Statutes*, as may be amended from time to time. The Charter of the District shall be as set forth in Chapter 190, *Florida Statutes*, as amended, as created by general law. The City further consents to the District’s exercise of special powers described in 190.012(2)(a) and 190.012(2)(d), *Florida Statutes*, as may be amended from time to time.

SECTION 6. BOARD OF SUPERVISORS. The five persons designated to serve as initial members of the District’s Board of Supervisors are as follows: Richard C. Wohlfarth, Wilson Way, Titiana Ross, Jerry Rodriguez, Heath Rivers. All of the persons in the preceding sentence are residents of the State of Florida and citizens of the United States of America.

SECTION 7. SEVERABILITY. If any provision of this Ordinance, or the application thereof, is finally determined by a court of competent jurisdiction to be invalid, illegal or unenforceable, such provision shall be deemed to be severable and the remaining provisions shall continue in full force and effect provided that the invalid, illegal or unenforceable provision is not material to the logical and intended interpretation of this Ordinance.

SECTION 8. ADMINISTRATIVE CORRECTION OF SCRIVENER’S ERRORS. The administrative correction of typographical and/or scrivener’s errors in this Ordinance which do not affect the intent may be authorized by the City Manager or designee, without need of public hearing, by filing a

corrected or recodified copy of same with the City Clerk.

SECTION 9. EFFECTIVE DATE. This ordinance shall take effect upon its passage and adoption pursuant to general law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Fruitland Park, Florida, held on the _____ day of January, 2024.

CITY COMMISSION OF THE CITY OF
FRUITLAND PARK, FLORIDA

Mayor/Commissioner

ATTEST:

_____, City Clerk

CITY OF FRUITLAND PARK CERTICATION

STATE OF FLORIDA)
COUNTY OF LAKE)

The foregoing instrument was acknowledged before me this ____ day of January 2024, by _____, Mayor, and _____, City Clerk, who are personally known to me.

Notary Public – State of Florida
My Commission Expires: _____
Notary Serial Number: _____

CITY ATTORNEY’S OFFICE

This document is approved as to form and legal content, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

City Attorney’s Office

Date

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

THE EAST 66 FEET OF THE NORTH 210 FEET OF THE SE 1/4 OF THE NW 1/4 AND THE WEST 160 FEET OF THE NORTH 210 FEET OF THE SW 1/4 OF THE NE 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL 2:

THE NORTH 511 FEET OF THE NW 1/4 OF THE SE 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LYING WEST OF THE RAILROAD, LAKE COUNTY, FLORIDA.

PARCEL 3:

THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS: COMMENCE AT THE NE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, AND RUN S 89°58'40" W, ALONG THE NORTH LINE OF THE NE 1/4 OF THE NW 1/4, A DISTANCE OF 380.35 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN S 00°02'26" W, 1326.45 FEET TO A POINT ON THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 33; THENCE S 89°54'10" W, ALONG THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 A DISTANCE OF 209.28 FEET; THENCE N 00°02'26" E, 1326.67 FEET, TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 33; THENCE N 89°58'40" E, ALONG THE NORTH LINE OF THE NE 1/4 OF THE NW 1/4 A DISTANCE OF 209.29 FEET TO THE POINT OF BEGINNING. LESS THE NORTH 40 FEET FOR RIGHT-OF-WAY OF LAKE ELLA ROAD.

FURTHER LESS AND EXCEPT ANY PORTION LYING WITHIN THE LANDS CONVEYED BY THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 5942, PAGE 848, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 4:

THE EAST 240 FEET OF THE N 1/2 OF THE SW 1/4 OF THE NW 1/4 AND THE WEST 550 FEET OF THE N 1/2 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL 5:

THE SOUTH 209.88 FEET OF THE WEST 157.5 FEET OF THE EAST 682.5 FEET OF THE NE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS THE SOUTH 33 FEET FOR ROAD RIGHT OF WAY FOR SPRING LAKE ROAD.

PARCEL 6:

BEGIN AT THE NORTHWEST CORNER OF THE SE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN THENCE EAST 1254 FEET, THENCE SOUTH 210 FEET, THENCE EAST 226 FEET, THENCE NORTH 210 FEET, THENCE EAST TO THE WESTERLY RIGHT OF WAY OF THE RAILROAD, THENCE SOUTHERLY ALONG SAID RAILROAD RIGHT OF WAY TO SOUTH LINE OF THE SW 1/4 OF THE NE 1/4, THENCE WEST TO THE SOUTHWEST CORNER OF THE SE 1/4 OF THE NW 1/4, THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING, LESS THE WEST 550 FEET OF THE NORTH 1/2 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST.

PARCEL 7:

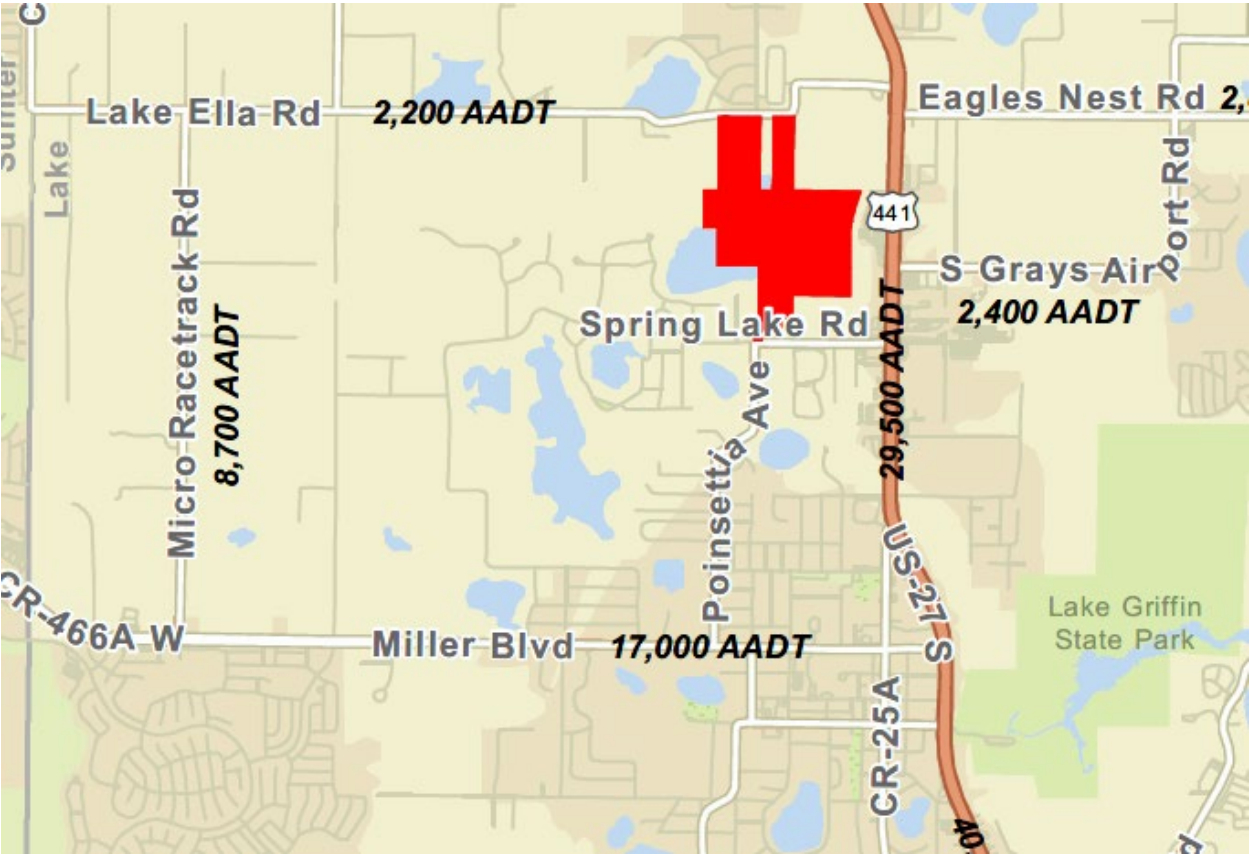
BEGIN AT THE NE CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN THENCE SOUTH 900.5 FEET, THENCE WEST 209.88 FEET, THENCE SOUTH 209.88 FEET, THENCE WEST 400.12 FEET, THENCE NORTH 1092.88 FEET, THENCE EAST 610 FEET TO THE POINT OF BEGINNING.

PARCEL 8:

BEGIN AT THE NE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, AND RUN S 89°58'40" W, ALONG SAID NORTH LINE OF THE NE 1/4 OF THE NW 1/4, A DISTANCE OF 380.35 FEET, THENCE S 00°02'26" W, 1326.45 FEET TO A POINT ON THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 33, THENCE N 89°54'10" E, ALONG SAID SOUTH LINE TO THE SE CORNER OF THE NE 1/4 OF THE NW 1/4, THENCE NORTH ALONG SAID EAST LINE OF THE NE 1/4 OF THE NW 1/4 TO THE POINT OF BEGINNING. LESS THE NORTH 40 FEET THEREOF FOR RIGHT-OF-WAY OF LAKE ELLA ROAD.

CONTAINS A TOTAL OF 135.4 +/- ACRES

EXHIBIT B



**BEFORE THE BOARD OF COUNTY COMMISSIONERS
LAKE COUNTY, FLORIDA**

**PETITION TO ESTABLISH ENCLAVE AT GENEVA LAKES
COMMUNITY DEVELOPMENT DISTRICT**

Petitioner, Lake Saunders Groves Land, LLP (hereafter “Petitioner”), hereby petitions the City of Fruitland Park, Florida pursuant to the “Uniform Community Development District Act of 1980,” Chapter 190, *Florida Statutes*, to establish a Community Development District with respect to the land described herein. In support of this petition, Petitioner states:

1. Location and Size. The proposed District is located within the City of Fruitland Park, Florida. **Exhibit 1** depicts the general location of the proposed District. The proposed District covers approximately 135.4 acres of land, generally located between Lake Ella Road and South to Spring Lake Road, Fruitland Park, Florida. The metes and bounds description of the external boundaries of the proposed District is set forth in **Exhibit 2**.

2. Excluded Parcels. There is no land within the external boundaries of the proposed District, which is to be excluded from the District.

3. Landowner Consent. Petitioner has obtained written consent to establish the proposed District from the owners of one hundred percent (100%) of the real property located within the proposed District in accordance with Section 190.005, *Florida Statutes*. Documentation of ownership and consent to the establishment of a community development district is contained in **Exhibit 3**.

4. Initial Board Members. The five persons designated to serve as initial members of the Board of Supervisors of the proposed District are as follows:

Name:	Richard C. Wohlfarth
Address:	246 N. Westmonte Drive Altamonte Springs, Florida 32714

Name: Wilson Way
Address: 246 N. Westmonte Drive
Altamonte Springs, Florida 32714

Name: Titiana Ross
Address: 7835 Osceola Polk County Line
Davenport, Florida 33896

Name: Jerry Rodriguez
Address: 7835 Osceola Polk County Line
Davenport, Florida 33896

Name: Heath Rivers
Address: 7835 Osceola Polk County Line
Davenport, Florida 33896

All of the above-listed persons are residents of the State of Florida and citizens of the United States of America.

5. Name. The proposed name of the District is Enclave at Lake Geneva Community Development District.

6. Future Land Uses. The future general distribution, location, and extent of the land uses proposed for the District by future land use plan element of the applicable Future Land Use Plan is identified on **Exhibit 4**. The proposed land uses for lands contained within the proposed District are consistent with the County's approved Future Land Use Plan.

7. Major Water and Wastewater Facilities and Outfalls. There are no existing major trunk water mains and wastewater interceptors within the currently undeveloped lands to be included within the proposed District. **Exhibit 5** shows the proposed major trunk water mains, sewer connections, and reclaimed water mains serving the lands within and around the proposed District.

8. District Facilities and Services. **Exhibit 6** describes the type of facilities Petitioner presently expects the proposed District to finance, fund, construct, acquire and/or

install, as well as the estimated costs of constructing the infrastructure serving land within the proposed District. At present, these improvements are estimated to be made, constructed and installed over the time period from 2024 through 2025. Actual construction timetables and expenditures will likely vary, due in part to the effects of future changes in the economic conditions upon costs such as labor, services, materials, interest rates and market conditions.

9. Statement of Estimated Regulatory Costs. **Exhibit 7** is the statement of estimated regulatory costs (“SERC”) prepared in accordance with the requirements of Section 120.541, *Florida Statutes*. The SERC is based upon presently available data. The data and methodology used in preparing the SERC accompany it.

10. Authorized Agent. The Petitioner is authorized to do business in the State of Florida. The authorized agent for the Petitioner is Jonathan T. Johnson. **See Exhibit 8.** Copies of all correspondence and official notices should also be sent to:

Jonathan T. Johnson
Jonathan.johnson@kutakrock.com
Kutak Rock LLP
107 West Collage Avenue
Tallahassee, Florida 32301

11. This petition to establish Enclave at Geneva Lakes Community Development District should be granted for the following reasons:

a. Establishment of the District and all land uses and services planned within the proposed District are not inconsistent with applicable elements or portions of the effective State Comprehensive Plan or the local Comprehensive Plan.

b. The area of land within the proposed District is part of a planned community. It is of a sufficient size and is sufficiently compact and contiguous to be developed as one functional and interrelated community.

c. The establishment of the District will prevent the general body of taxpayers in Lake County from bearing the burden for installation of the infrastructure and the maintenance of the above-described facilities within the development encompassed by the District. The District is the best alternative for delivering community development services and facilities to the proposed community without imposing an additional burden on the general population of the local general-purpose government. Establishment of the District in conjunction with a comprehensively planned community, as proposed, allows for a more efficient use of resources.

d. The community development services and facilities of the District will not be incompatible with the capacity and use of existing local and regional community development services and facilities. In addition, the establishment of the District will provide a perpetual entity capable of making reasonable provisions for the operation and maintenance of the District services and facilities.

e. The area to be served by the proposed District is amenable to separate special-district government.

WHEREFORE, Petitioner respectfully requests the Lake County Board of County Commissioners to:

- a. schedule a public hearing in accordance with the requirements of Section 190.005(2)(b), *Florida Statutes*;
- b. grant the petition and adopt an ordinance establishing the District pursuant to Chapter 190, *Florida Statutes*;
- c. consent to the District's exercise of certain additional powers to finance, fund, plan, establish, acquire, construct, reconstruct, enlarge or extend, equip, operate, and maintain systems and facilities for parks and facilities for indoor and outdoor

recreational, cultural, and educational uses, and for security, including but not limited to, guardhouses, fences and gates, electronic intrusion-detection systems, and patrol cars, each as authorized and described by Sections 190.012(2)(a) and (d), *Florida Statutes*, and

c. grant such other relief as appropriate.

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RESPECTFULLY SUBMITTED, this ____ day of November, 2023.

KUTAK ROCK LLP



Jonathan T. Johnson
Jonathan.Johnson@kutakrock.com
Florida Bar No. 986460
107 West College Avenue
Tallahassee, Florida 32301
(850) 692-7300 (telephone)
(850) 692-7319 (facsimile)
Attorney for Petitioner

EXHIBIT 1

EXHIBIT 2

LEGAL DESCRIPTION

PARCEL 1:

THE EAST 66 FEET OF THE NORTH 210 FEET OF THE SE 1/4 OF THE NW 1/4 AND THE WEST 160 FEET OF THE NORTH 210 FEET OF THE SW 1/4 OF THE NE 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL 2:

THE NORTH 511 FEET OF THE NW 1/4 OF THE SE 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LYING WEST OF THE RAILROAD, LAKE COUNTY, FLORIDA.

PARCEL 3:

THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS: COMMENCE AT THE NE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, AND RUN S 89°58'40" W, ALONG THE NORTH LINE OF THE NE 1/4 OF THE NW 1/4, A DISTANCE OF 380.35 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN S 00°02'26" W, 1326.45 FEET TO A POINT ON THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 33; THENCE S 89°54'10" W, ALONG THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 A DISTANCE OF 209.28 FEET; THENCE N 00°02'26" E, 1326.67 FEET, TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 33; THENCE N 89°58'40" E, ALONG THE NORTH LINE OF THE NE 1/4 OF THE NW 1/4 A DISTANCE OF 209.29 FEET TO THE POINT OF BEGINNING. LESS THE NORTH 40 FEET FOR RIGHT-OF-WAY OF LAKE ELLA ROAD.

FURTHER LESS AND EXCEPT ANY PORTION LYING WITHIN THE LANDS CONVEYED BY THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 5942, PAGE 848, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 4:

THE EAST 240 FEET OF THE N 1/2 OF THE SW 1/4 OF THE NW 1/4 AND THE WEST 550 FEET OF THE N 1/2 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL 5:

THE SOUTH 209.88 FEET OF THE WEST 157.5 FEET OF THE EAST 682.5 FEET OF THE NE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS THE SOUTH 33 FEET FOR ROAD RIGHT OF WAY FOR SPRING LAKE ROAD.

PARCEL 6:

BEGIN AT THE NORTHWEST CORNER OF THE SE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN THENCE EAST 1254 FEET, THENCE SOUTH 210 FEET, THENCE EAST 226 FEET, THENCE NORTH 210 FEET, THENCE EAST TO THE WESTERLY RIGHT OF WAY OF THE RAILROAD, THENCE SOUTHERLY ALONG SAID RAILROAD RIGHT OF WAY TO SOUTH LINE OF THE SW 1/4 OF THE NE 1/4, THENCE WEST TO THE SOUTHWEST CORNER OF THE SE 1/4 OF THE NW 1/4, THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING, LESS THE WEST 550 FEET OF THE NORTH 1/2 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST.

PARCEL 7:

BEGIN AT THE NE CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN THENCE SOUTH 900.5 FEET, THENCE WEST 209.88 FEET, THENCE SOUTH 209.88 FEET, THENCE WEST 400.12 FEET, THENCE NORTH 1092.88 FEET, THENCE EAST 610 FEET TO THE POINT OF BEGINNING.

PARCEL 8:

BEGIN AT THE NE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, AND RUN S 89°58'40" W, ALONG SAID NORTH LINE OF THE NE 1/4 OF THE NW 1/4, A DISTANCE OF 380.35 FEET, THENCE S 00°02'26" W, 1326.45 FEET TO A POINT ON THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 33, THENCE N 89°54'10" E, ALONG SAID SOUTH LINE TO THE SE CORNER OF THE NE 1/4 OF THE NW 1/4, THENCE NORTH ALONG SAID EAST LINE OF THE NE 1/4 OF THE NW 1/4 TO THE POINT OF BEGINNING. LESS THE NORTH 40 FEET THEREOF FOR RIGHT-OF-WAY OF LAKE ELLA ROAD.

CONTAINS A TOTAL OF 135.4 +/- ACRES

EXHIBIT 3

**CONSENT AND JOINDER TO ESTABLISHMENT
OF A COMMUNITY DEVELOPMENT DISTRICT**

The undersigned is the owner of certain lands more fully described in **Exhibit A** attached hereto and made a part hereof ("Property").

The undersigned understands and acknowledges that Lake Saunders Groves Land, LLP ("Petitioner") intends to submit an application to establish a community development district in the City of Fruitland in accordance with the provisions of Chapter 190 of the Florida Statutes.

As the owner of lands which are intended to constitute all or a portion of the community development district, the undersigned understands and acknowledges that pursuant to the provisions of Section 190.005, *Florida Statutes*, the Petitioner is required to include the written consent to the establishment of the community development district of one hundred percent (100%) of the owners of the lands to be included within the community development district.

The undersigned hereby consents to the establishment of the community development district which will include the Property within the lands to be a part of the community development district and agrees to further execute any documentation necessary or convenient to evidence this consent and joinder during the application process for the establishment of the community development district. Petitioner may revoke this consent at any time prior to the closing of the sale of the Property by delivery of written notice to the City of Fruitland.

The undersigned hereby represents and warrants that it has taken all actions and obtained all consents necessary to duly authorize the execution of this consent and joinder by the person executing this instrument.

[signatures on following page]

Executed this 15th day of November, 2023.

WITNESSES:

RH
Sandra Lake Saunders Groves
a Limited Liability Partnership

[Signature]
Name: Janelee Gonzalez

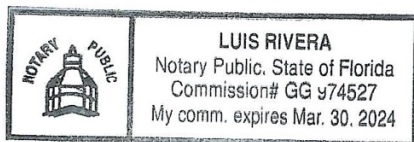
By: [Signature]
Name: Robert Hoekstra
Title: Manager

[Signature]
Name: Jason Rivas

STATE OF FLORIDA
COUNTY OF Seminole

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization this 15 day of November, 2023, by Robert Hoekstra, as Manager of Lake Saunders Groves, who is ☐ personally known to me or ☒ produced Florida DL as identification.

[Signature]
(Official Notary Signature & Seal)



Print Name: Luis Rivera
Notary Public, State of Florida

Exhibit A: Property Description

LEGAL DESCRIPTION

PARCEL 1:

THE EAST 66 FEET OF THE NORTH 210 FEET OF THE SE 1/4 OF THE NW 1/4 AND THE WEST 160 FEET OF THE NORTH 210 FEET OF THE SW 1/4 OF THE NE 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL 2:

THE NORTH 511 FEET OF THE NW 1/4 OF THE SE 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LYING WEST OF THE RAILROAD, LAKE COUNTY, FLORIDA.

PARCEL 3:

THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS: COMMENCE AT THE NE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, IN LAKE COUNTY, FLORIDA, AND RUN S 89°58'40" W, ALONG THE NORTH LINE OF THE NE 1/4 OF THE NW 1/4, A DISTANCE OF 380.35 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING, RUN S 00°02'26" W, 1326.45 FEET TO A POINT ON THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 33; THENCE S 89°54'10" W, ALONG THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 A DISTANCE OF 209.28 FEET; THENCE N 00°02'26" E, 1326.67 FEET, TO A POINT ON THE NORTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 33; THENCE N 89°58'40" E, ALONG THE NORTH LINE OF THE NE 1/4 OF THE NW 1/4 A DISTANCE OF 209.29 FEET TO THE POINT OF BEGINNING. LESS THE NORTH 40 FEET FOR RIGHT-OF-WAY OF LAKE ELLA ROAD.

FURTHER LESS AND EXCEPT ANY PORTION LYING WITHIN THE LANDS CONVEYED BY THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 5942, PAGE 848, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

PARCEL 4:

THE EAST 240 FEET OF THE N 1/2 OF THE SW 1/4 OF THE NW 1/4 AND THE WEST 550 FEET OF THE N 1/2 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA.

PARCEL 5:

THE SOUTH 209.88 FEET OF THE WEST 157.5 FEET OF THE EAST 682.5 FEET OF THE NE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, LESS THE SOUTH 33 FEET FOR ROAD RIGHT OF WAY FOR SPRING LAKE ROAD.

PARCEL 6:

BEGIN AT THE NORTHWEST CORNER OF THE SE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN THENCE EAST 1254 FEET, THENCE SOUTH 210 FEET, THENCE EAST 226 FEET, THENCE NORTH 210 FEET, THENCE EAST TO THE WESTERLY RIGHT OF WAY OF THE RAILROAD, THENCE SOUTHERLY ALONG SAID RAILROAD RIGHT OF WAY TO SOUTH LINE OF THE SW 1/4 OF THE NE 1/4, THENCE WEST TO THE SOUTHWEST CORNER OF THE SE 1/4 OF THE NW 1/4, THENCE NORTH 1320 FEET TO THE POINT OF BEGINNING, LESS THE WEST 550 FEET OF THE NORTH 1/2 OF THE SE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST.

PARCEL 7:

BEGIN AT THE NE CORNER OF THE NE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, RUN THENCE SOUTH 900.5 FEET, THENCE WEST 209.88 FEET, THENCE SOUTH 209.88 FEET, THENCE WEST 400.12 FEET, THENCE NORTH 1092.88 FEET, THENCE EAST 610 FEET TO THE POINT OF BEGINNING.

PARCEL 8:

BEGIN AT THE NE CORNER OF THE NE 1/4 OF THE NW 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA, AND RUN S 89°58'40" W, ALONG SAID NORTH LINE OF THE NE 1/4 OF THE NW 1/4, A DISTANCE OF 380.35 FEET, THENCE S 00°02'26" W, 1326.45 FEET TO A POINT ON THE SOUTH LINE OF THE NE 1/4 OF THE NW 1/4 OF SAID SECTION 33, THENCE N 89°54'10" E, ALONG SAID SOUTH LINE TO THE SE CORNER OF THE NE 1/4 OF THE NW 1/4, THENCE NORTH ALONG SAID EAST LINE OF THE NE 1/4 OF THE NW 1/4 TO THE POINT OF BEGINNING. LESS THE NORTH 40 FEET THEREOF FOR RIGHT-OF-WAY OF LAKE ELLA ROAD.

CONTAINS A TOTAL OF 135.4 +/- ACRES

EXHIBIT 4

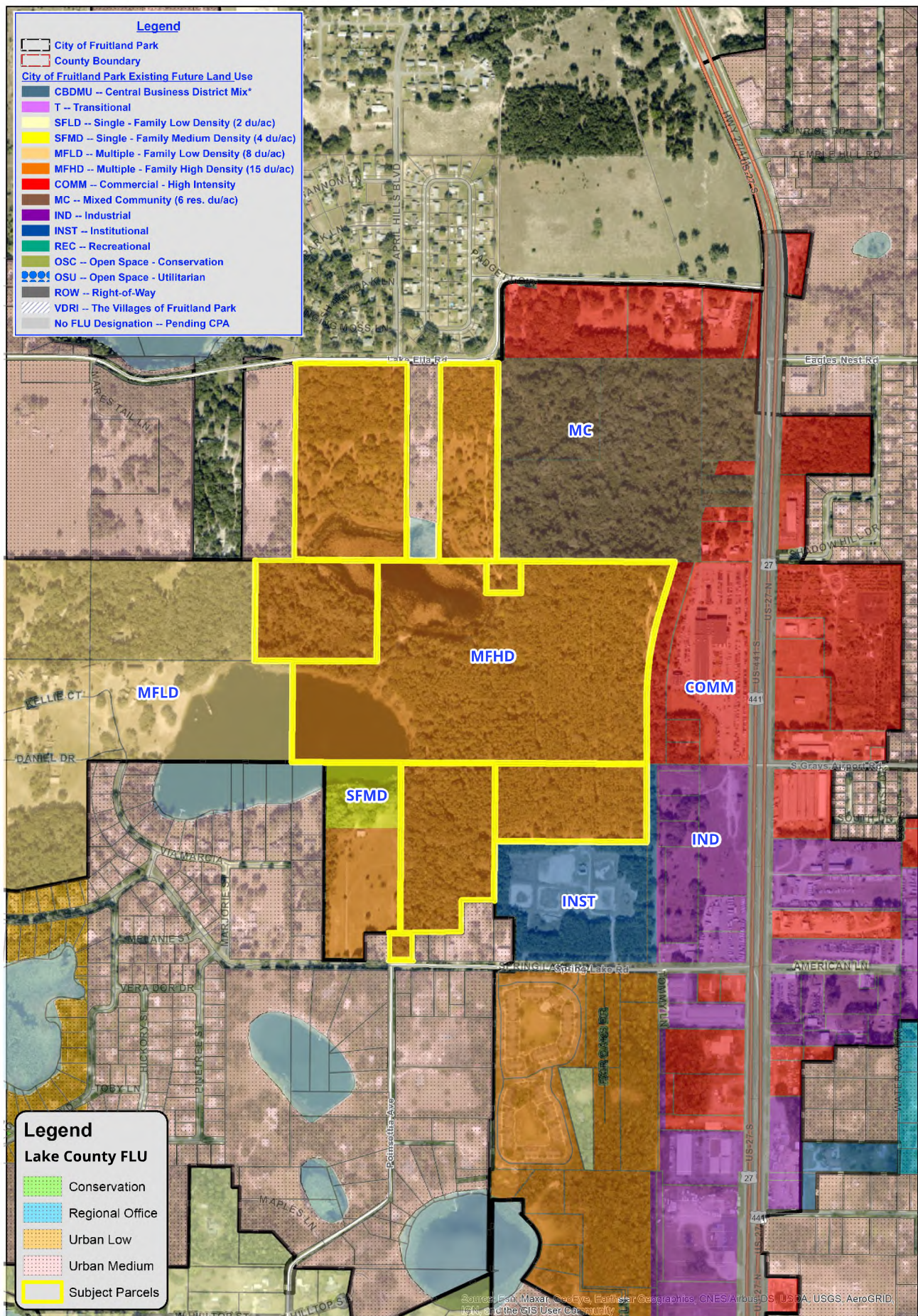


EXHIBIT 5

Exhibit 5

Existing Infrastructure within Property

The only infrastructure on the property is an eight (8) inch force main located along the eastern property line. The force main is located within a 20' utility easement and is owned and maintained by the City of Fruitland Park.

EXHIBIT 6

Exhibit 6

PROPOSED TIMETABLES AND RELATED ESTIMATES OF COST OF DISTRICT SERVICES AND FACILITIES

ENCLAVE AT LAKE GENEVA COMMUNITY DEVELOPMENT DISTRICT

Master Earthwork for Stormwater Collection System	2024-2025	\$3,250,000.00
Subdivision Potable Water, Reuse and Wastewater	2024-2025	\$4,000,000.00
Subdivision Infrastructure Roads and Drainage	2024-2025	\$3,250,000.00
Amenities		
Pool and Cabana	2024-2025	\$800,000.00
Playground, BBQ, Picnic Tables, etc.	2024-2025	\$250,000.00
Landscape, Irrigation and Signage	2024-2025	\$300,000.00
Total		\$11,850,000.00

EXHIBIT 7

EXHIBIT 8

ENCLAVE AT LAKE GENEVA COMMUNITY DEVELOPMENT DISTRICT

Statement of Estimated Regulatory Costs

November 1, 2023



Provided by

Wrathell, Hunt and Associates, LLC

2300 Glades Road, Suite 410W

Boca Raton, FL 33431

Phone: 561-571-0010

Fax: 561-571-0013

Website: www.whhassociates.com

STATEMENT OF ESTIMATED REGULATORY COSTS

1.0 Introduction

1.1 Purpose and Scope

This Statement of Estimated Regulatory Costs ("SERC") supports the petition to establish the Enclave at Lake Geneva Community Development District ("District") in accordance with the "Uniform Community Development District Act of 1980," Chapter 190, Florida Statutes (the "Act"). The proposed District will comprise approximately 134.5 +/- acres of land located within the City of Fruitland Park, Florida (the "City") and is projected to contain approximately 396 residential dwelling units, which will make up the Enclave at Lake Geneva development ("Project"). The limitations on the scope of this SERC are explicitly set forth in Section 190.002(2)(d), Florida Statutes ("F.S.") (governing District establishment) as follows:

"That the process of establishing such a district pursuant to uniform general law be fair and based only on factors material to managing and financing the service delivery function of the district, so that any matter concerning permitting or planning of the development is not material or relevant (emphasis added)."

1.2 Overview of the Enclave at Lake Geneva Community Development District

The District is designed to provide public infrastructure, services, and facilities along with operation and maintenance of the same to a master planned residential development currently anticipated to contain a total of approximately 396 residential dwelling units, all within the boundaries of the District. Tables 1 and 2 under Section 5.0 detail the anticipated improvements and ownership/maintenance responsibilities the proposed District is anticipated to construct, operate and maintain.

A community development district ("CDD") is an independent unit of special purpose local government authorized by the Act to plan, finance, construct, operate and maintain community-wide infrastructure in planned community developments. CDDs provide a "solution to the state's planning, management and financing needs for delivery of capital infrastructure in order to service projected growth without overburdening other governments and their taxpayers." Section 190.002(1)(a), F.S.

A CDD is not a substitute for the local, general purpose government unit, i.e., the city or county in which the CDD lies. A CDD does not have the permitting, zoning or policing powers possessed by general purpose governments. A CDD is an alternative means of financing, constructing, operating and maintaining public infrastructure for developments, such as Enclave at Lake Geneva.

1.3 Requirements for Statement of Estimated Regulatory Costs

Section 120.541(2), F.S., defines the elements a statement of estimated regulatory costs must contain:

(a) An economic analysis showing whether the rule directly or indirectly:

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment,

or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the rule;

2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the rule; or

3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

(b) A good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule.

(c) A good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues.

(d) A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule. As used in this section, "transactional costs" are direct costs that are readily ascertainable based upon standard business practices, and include filing fees, the cost of obtaining a license, the cost of equipment required to be installed or used or procedures required to be employed in complying with the rule, additional operating costs incurred, the cost of monitoring and reporting, and any other costs necessary to comply with the rule.

(e) An analysis of the impact on small businesses as defined by s. 288.703, and an analysis of the impact on small counties and small cities as defined in s. 120.52. The impact analysis for small businesses must include the basis for the agency's decision not to implement alternatives that would reduce adverse impacts on small businesses. (City of Fruitland Park, according to Census 2020, has a population of 8,325; therefore, it is defined as a small City for the purposes of this requirement.)

(f) Any additional information that the agency determines may be useful.

(g) In the statement or revised statement, whichever applies, a description of any regulatory alternatives submitted under paragraph (1)(a) and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed rule.

Note: the references to "rule" in the statutory requirements for the Statement of Estimated Regulatory Costs also apply to an "ordinance" under section 190.005(2)(a), F.S.

2.0 An economic analysis showing whether the ordinance directly or indirectly:

1. Is likely to have an adverse impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance;

2. Is likely to have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance; or

3. Is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The ordinance establishing the District is not anticipated to have any direct or indirect adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation. Any increases in regulatory costs, principally the anticipated increases in transactional costs as a result of imposition of special assessments by the District will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is voluntary and all additional costs will be disclosed to prospective buyers prior to sale, such increases should be considered voluntary, self-imposed and offset by benefits received from the infrastructure and services provided by the District.

2.1 Impact on economic growth, private sector job creation or employment, or private sector investment in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The purpose for establishment of the District is to provide public facilities and services to support the development of a new, master planned residential development. The development of the approximately 134.5 +/- acres anticipated to be within the District will promote local economic activity, create local value, lead to local private sector investment and is likely to result in local private sector employment and/or local job creation.

Establishment of the District will allow a systematic method to plan, fund, implement, operate and maintain, for the benefit of the landowners within the District, various public facilities and services. Such facilities and services, as further described in Section 5, will allow for the development of the land within the District. The provision of District's infrastructure and the subsequent development of land will generate private economic activity, economic growth, investment and employment, and job creation. The District intends to use proceeds of indebtedness to fund construction of public infrastructure, which will be constructed by private firms, and once constructed, is likely to use private firms to operate and maintain such infrastructure and provide services to the landowners and residents of the District. The private developer of the land in the District will use its private funds to conduct the private land development and construction of an anticipated approximately 396 residential dwelling units, the construction, sale, and continued use/maintenance of which will involve private firms. While similar economic growth, private sector job creation or employment, or private sector investment could be achieved in absence of the District by the private sector alone, the fact that the establishment of the District is initiated by the private developer means that the private developer considers the establishment and continued operation of the District as beneficial to the process of land development and the future economic activity taking place within the District, which in turn will lead directly or indirectly to economic growth, likely private sector job growth and/or support private sector employment, and private sector investments.

2.2 Impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

When assessing the question of whether the establishment of the District is likely to directly or indirectly have an adverse impact on business competitiveness, including the ability of persons doing business in the state to compete with persons doing business in other states or domestic markets, productivity, or innovation, one has to compare these factors in the presence and in the absence of the District in the development. When the question is phrased in this manner, it can be surmised that the establishment of the District is likely to not have a direct or indirect adverse impact on business competitiveness, productivity, or innovation versus that same development without the District. Similar to a purely private solution, District contracts will be bid competitively as to achieve the lowest cost/best value for the particular infrastructure or services desired by the landowners, which will insure that contractors wishing to bid for such contracts will have to demonstrate to the District the most optimal mix of cost, productivity and innovation. Additionally, the establishment of the District for the development is not likely to cause the award of the contracts to favor non-local providers any more than if there was no District. The District, in its purchasing decisions, will not vary from the same principles of cost, productivity and innovation that guide private enterprise.

2.3 Likelihood of an increase in regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the ordinance.

The establishment of the District will not increase any regulatory costs of the State or the City by virtue that the District will be one of many already existing similar districts within the State and also one of many already existing similar districts in the City. As described in more detail in Section 4, the proposed District will pay a one-time filing fee to the City to offset any expenses that the City may incur in holding a local public hearing on the petition. Similarly, the proposed District will pay annually the required Special District Filing Fee, which fee is meant to offset any State costs related to its oversight of all special districts in the State.

The establishment of the District will, however, directly increase regulatory costs to the landowners within the District. Such increases in regulatory costs, principally the anticipated increases in transactional costs as a result of likely imposition of special assessments and use fees by the District, will be the direct result of facilities and services provided by the District to the landowners within the District. However, as property ownership in the District is completely voluntary, all current property owners must consent to the establishment of the District and all initial prospective buyers will have such additional transaction costs disclosed to them prior to sale, as required by State law. Such costs, however, should be considered voluntary, self-imposed, and as a tradeoff for the service and facilities provided by the District.

The District will incur overall operational costs related to services for infrastructure maintenance, landscaping, and similar items. In the initial stages of development, the costs will likely be minimized. These operating costs will be funded by the landowners through direct funding agreements or special assessments levied by the District. Similarly, the District may incur costs associated with the issuance and repayment of special assessment revenue bonds. While these costs in the aggregate may approach the stated threshold over a five year period, this would not be unusual for a Project of this nature and the infrastructure and services proposed to be provided by the District will be needed to serve the Project regardless of the existence of the District. Thus, the District-related costs are not additional development costs. Due to the relatively low cost of financing available to CDDs, due to the tax-exempt nature of their debt, certain improvements can be provided more efficiently by the District than by alternative entities. Furthermore, it is important to remember that such costs would be funded through special assessments paid by landowners within the District, and would not be a burden on the taxpayers outside the District.

3.0 A good faith estimate of the number of individuals and entities likely to be required to comply with the ordinance, together with a general description of the types of individuals likely to be affected by the ordinance.

The individuals and entities likely to be required to comply with the ordinance or affected by the proposed action (i.e., adoption of the ordinance) can be categorized, as follows: 1) The State of Florida and its residents, 2) the City and its residents, 3) current property owners, and 4) future property owners.

a. The State of Florida

The State of Florida and its residents and general population will not incur any compliance costs related to the establishment and on-going administration of the District, and will only be affected to the extent that the State incurs those nominal administrative costs outlined herein. The cost of any additional administrative services provided by the State as a result of this project will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

b. City of Fruitland Park

The City and its residents not residing within the boundaries of the District will not incur any compliance costs related to the establishment and on-going administration of the District other than any one-time administrative costs outlined herein, which will be offset by the filing fee submitted to the City. Once the District is established, these residents will not be affected by adoption of the ordinance. The cost of any additional administrative services provided by the City as a result of this development will be incurred whether the infrastructure is financed through a CDD or any alternative financing method.

c. Current Property Owners

The current property owners of the lands within the proposed District boundaries will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

d. Future Property Owners

The future property owners are those who will own property in the proposed District. These future property owners will be affected to the extent that the District allocates debt for the construction of infrastructure and undertakes operation and maintenance responsibility for that infrastructure.

The proposed District will serve land that comprises an approximately 134.5+/- acre master planned residential development currently anticipated to contain a total of approximately 396 residential dwelling units, although the development plan can change. Assuming an average density of 3.5 persons per residential dwelling unit, the estimated residential population of the proposed District at build out would be approximately 1,386 +/- and all of these residents as well as the landowners within the District will be affected by the ordinance. The City, the proposed District and certain state agencies will also be affected by or required to comply with the ordinance as more fully discussed hereafter.

4.0 A good faith estimate of the cost to the agency, and to any other state and local

government entities, of implementing and enforcing the proposed ordinance, and any anticipated effect on state or local revenues.

The City is establishing the District by ordinance in accordance with the Act and, therefore, there is no anticipated effect on state or local revenues.

4.1 Costs to Governmental Agencies of Implementing and Enforcing Ordinance

Because the result of adopting the ordinance is the establishment of an independent local special purpose government, there will be no significant enforcing responsibilities of any other government entity, but there will be various implementing responsibilities which are identified with their costs herein.

State Governmental Entities

The cost to state entities to review or enforce the proposed ordinance will be very modest. The District comprises less than 2,500 acres and is located within the boundaries of the City. Therefore, the City (and not the Florida Land and Water Adjudicatory Commission) will review and act upon the Petition to establish the District, in accordance with Section 190.005(2), F.S. There are minimal additional ongoing costs to various state entities to implement and enforce the proposed ordinance. The costs to various state entities to implement and enforce the proposed ordinance relate strictly to the receipt and processing of various reports that the District is required to file with the State and its various entities. Appendix A lists the reporting requirements. The costs to those state agencies that will receive and process the District's reports are minimal because the District is only one of many governmental units that are required to submit the various reports. Therefore, the marginal cost of processing one additional set of reports is inconsequential. Additionally, pursuant to section 189.064, F.S., the District must pay an annual fee to the State of Florida Department of Economic Opportunity which offsets such costs.

City of Fruitland Park, Florida

The proposed land for the District is located within City of Fruitland Park, Florida and consists of less than 2,500 acres. The City and its staff may process, analyze, conduct a public hearing, and vote upon the petition to establish the District. These activities will absorb some resources; however, these costs incurred by the City will be modest for a number of reasons. First, review of the petition to establish the District does not include analysis of the project itself. Second, the petition itself provides most, if not all, of the information needed for a staff review. Third, the City already possesses the staff needed to conduct the review without the need for new staff. Fourth, there is no capital required to review the petition. Fifth, the potential costs are offset by a filing fee included with the petition to offset any expenses the City may incur in the processing of this petition. Finally, the City already processes similar petitions, though for entirely different subjects, for land uses and zoning changes that are far more complex than the petition to establish a community development district.

The annual costs to the City, because of the establishment of the District, are also very small. The District is an independent unit of local government. The only annual costs the City faces are the minimal costs of receiving and reviewing the various reports that the District is required to provide to the City, or any monitoring expenses the City may incur if it establishes a monitoring program for this District.

4.2 Impact on State and Local Revenues

Adoption of the proposed ordinance will have no negative impact on state or local revenues. The District is an independent unit of local government. It is designed to provide infrastructure facilities and services to serve the development project and it has its own sources of revenue. No state or local subsidies are required or expected.

Any non-ad valorem assessments levied by the District will not count against any millage caps imposed on other taxing authorities providing services to the lands within the District. It is also important to note that any debt obligations the District may incur are not debts of the State of Florida or any other unit of local government. By Florida law, debts of the District are strictly its own responsibility.

5.0 A good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the ordinance.

Table 1 provides an outline of the various facilities and services the proposed District may provide. Financing for these facilities is projected to be provided by the District.

Table 2 illustrates the estimated costs of construction of the capital facilities, outlined in Table 1. Total costs of construction for those facilities that may be provided are estimated to be approximately \$11,850,000. The District may levy non-ad valorem special assessments (by a variety of names) and may issue special assessment bonds to fund the costs of these facilities. These bonds would be repaid through non-ad valorem special assessments levied on all developable properties in the District that may benefit from the District's infrastructure program as outlined in Table 2.

Prospective future landowners in the proposed District may be required to pay non-ad valorem special assessments levied by the District to provide for facilities and secure any debt incurred through bond issuance. In addition to the levy of non-ad valorem special assessments which may be used for debt service, the District may also levy a non-ad valorem assessment to fund the operations and maintenance of the District and its facilities and services. However, purchasing a property within the District or locating in the District by new residents is completely voluntary, so, ultimately, all landowners and residents of the affected property choose to accept the non-ad valorem assessments as a tradeoff for the services and facilities that the District will provide. In addition, state law requires all assessments levied by the District to be disclosed by the initial seller to all prospective purchasers of property within the District.

Table 1

**ENCLAVE AT LAKE GENEVA COMMUNITY
DEVELOPMENT DISTRICT
Proposed Facilities and Services**

FACILITY	FUNDED BY	OWNED BY	MAINTAINED BY
Roads	Landowner /CDD	CDD/City	CDD/City
Utilities	Landowner /CDD	City	City
Amenities	Landowner	CDD /Landowner	CDD /Landowner
Drainage	CDD	CDD	CDD
Landscape/Lakes	CDD	CDD	CDD

Table 2

**ENCLAVE AT LAKE GENEVA COMMUNITY
DEVELOPMENT DISTRICT
Estimated Costs of Construction**

CATEGORY	COST
Master Earthwork for Stormwater Collection System	\$3,250,000
Subdivision Potable Water, Reuse and Wastewater	\$4,000,000
Subdivision Infrastructure Roads and Drainage	\$3,250,000
Amenities	
Pool and Cabana	\$800,000
Playground, BBQ, Picnic Tables, etc.	\$250,000
Landscape, Irrigation and Signage	\$300,000
Total	\$11,850,000

A CDD provides the property owners with an alternative mechanism of providing public services; however, special assessments and other impositions levied by the District and collected by law represent the transactional costs incurred by landowners as a result of the establishment of the District. Such transactional costs should be considered in terms of costs likely to be incurred under alternative public and private mechanisms of service provision, such as other independent special districts, City or its dependent districts, or City management but financing with municipal service benefit units and

municipal service taxing units, or private entities, all of which can be grouped into three major categories: public district, public other, and private.

With regard to the public services delivery, dependent and other independent special districts can be used to manage the provision of infrastructure and services, however, they are limited in the types of services they can provide, and likely it would be necessary to employ more than one district to provide all services needed by the development.

Other public entities, such as cities, are also capable of providing services, however, their costs in connection with the new services and infrastructure required by the new development and, transaction costs, would be borne by all taxpayers, unduly burdening existing taxpayers. Additionally, other public entities providing services would also be inconsistent with the State's policy of "growth paying for growth".

Lastly, services and improvements could be provided by private entities. However, their interests are primarily to earn short-term profits and there is no public accountability. The marginal benefits of tax-exempt financing utilizing CDDs would cause the CDD to utilize its lower transactional costs to enhance the quality of infrastructure and services.

In considering transactional costs of CDDs, it shall be noted that occupants of the lands to be included within the District will receive three major classes of benefits.

First, those residents in the District will receive a higher level of public services which in most instances will be sustained over longer periods of time than would otherwise be the case.

Second, a CDD is a mechanism for assuring that the public services will be completed concurrently with development of lands within the development. This satisfies the revised growth management legislation, and it assures that growth pays for itself without undue burden on other consumers. Establishment of the District will ensure that these landowners pay for the provision of facilities, services and improvements to these lands.

Third, a CDD is the sole form of local governance which is specifically established to provide District landowners with planning, construction, implementation and short and long-term maintenance of public infrastructure at sustained levels of service.

The cost impact on the ultimate landowners in the development is not the total cost for the District to provide infrastructure services and facilities. Instead, it is the incremental costs above, if applicable, what the landowners would have paid to install infrastructure via an alternative financing mechanism.

Consequently, a CDD provides property owners with the option of having higher levels of facilities and services financed through self-imposed revenue. The District is an alternative means to manage necessary development of infrastructure and services with related financing powers. District management is no more expensive, and often less expensive, than the alternatives of various public and private sources.

6.0 An analysis of the impact on small businesses as defined by Section 288.703, F.S., and an analysis of the impact on small counties and small cities as defined by Section 120.52, F.S.

There will be little impact on small businesses because of the establishment of the District. If anything, the impact may be positive because the District must competitively bid all of its contracts and competitively negotiate all of its contracts with consultants over statutory thresholds. This affords small businesses the opportunity to bid on District work.

City of Fruitland Park has a population of 8,325 according to the Census 2020 conducted by the United States Census Bureau and is therefore defined as a "small" City according to Section 120.52, F.S. It can be reasonably expected that the establishment of a community development district for the Enclave at Lake Geneva development will not produce any marginal effects that would be different from those that would have occurred if the Enclave at Lake Geneva development was developed without a community development district established for it by the City.

7.0 Any additional useful information.

The analysis provided above is based on a straightforward application of economic theory, especially as it relates to tracking the incidence of regulatory costs and benefits. Inputs were received from the Petitioner's Engineer and other professionals associated with the Petitioner.

In relation to the question of whether the proposed Enclave at Lake Geneva Community Development District is the best possible alternative to provide public facilities and services to the project, there are several additional factors which bear importance. As an alternative to an independent district, the City could establish a dependent district for the area or establish an MSBU or MSTU. Either of these alternatives could finance the improvements contemplated in Tables 1 and 2 in a fashion similar to the proposed District.

There are a number of reasons why a dependent district is not the best alternative for providing public facilities and services to the Enclave at Lake Geneva development. First, unlike a CDD, this alternative would require the City to administer the project and its facilities and services. As a result, the costs for these services and facilities would not be directly and wholly attributed to the land directly benefiting from them, as the case would be with a CDD. Administering a project of the size and complexity of the development program anticipated for the Enclave at Lake Geneva development is a significant and expensive undertaking.

Second, a CDD is preferable from a government accountability perspective. With a CDD, residents and landowners in the District would have a focused unit of government ultimately under their direct control. The CDD can then be more responsive to resident needs without disrupting other City responsibilities. By contrast, if the City were to establish and administer a dependent Special District, then the residents and landowners of the Enclave at Lake Geneva development would take their grievances and desires to the City Commission meetings.

Third, any debt of an independent CDD is strictly that District's responsibility. While it may be technically true that the debt of a City-established, dependent Special District is not strictly the City's responsibility, any financial problems that a dependent Special District may have may reflect on the City. This will not be the case if a CDD is established.

Another alternative to a CDD would be for a Property Owners' Association (POA) to provide the infrastructure as well as operations and maintenance of public facilities and services. A CDD is superior to a POA for a variety of reasons. First, unlike a POA, a CDD can obtain low cost funds from the municipal capital market. Second, as a government entity a CDD can impose and collect its

assessments along with other property taxes on the County's real estate tax bill. Therefore, the District is far more assured of obtaining its needed funds than is a POA. Third, the proposed District is a unit of local government. This provides a higher level of transparency, oversight and accountability and the CDD has the ability to enter into interlocal agreements with other units of government.

8.0 A description of any regulatory alternatives submitted under section 120.541(1)(a), F.S., and a statement adopting the alternative or a statement of the reasons for rejecting the alternative in favor of the proposed ordinance.

No written proposal, statement adopting an alternative or statement of the reasons for rejecting an alternative have been submitted.

Based upon the information provided herein, this Statement of Estimated Regulatory Costs supports the petition to establish the Enclave at Lake Geneva Community Development District.

APPENDIX A
LIST OF REPORTING REQUIREMENTS

REPORT	FL. STATUTE CITATION	DATE
Annual Financial Audit	190.008/218.39	9 months after end of Fiscal Year
Annual Financial Report	190.008/218.32	45 days after the completion of the Annual Financial Audit but no more than 9 months after end of Fiscal Year
TRIM Compliance Report	200.068	no later than 30 days following the adoption of the property tax levy ordinance/resolution (if levying property taxes)
Form 1 - Statement of Financial Interest	112.3145	within 30 days of accepting the appointment, then every year thereafter by 7/1 (by "local officers" appointed to special district's board); during the qualifying period, then every year thereafter by 7/1 (by "local officers" elected to special district's board)
Public Facilities Report	189.08	within one year of special district's creation; then annual notice of any changes; and updated report every 7 years, 12 months prior to submission of local government's evaluation and appraisal report
Public Meetings Schedule	189.015	quarterly, semiannually, or annually
Bond Report	218.38	when issued; within 120 days after delivery of bonds
Registered Agent	189.014	within 30 days after first meeting of governing board
Proposed Budget	190.008	annually by June 15
Adopted Budget	190.008	annually by October 1
Public Depositor Report	280.17	annually by November 30
Notice of Establishment	190.0485	within 30 days after the effective date of an ordinance establishing the District
Notice of Public Financing	190.009	file disclosure documents in the property records of the City after financing


EXHIBIT 8

AUTHORIZATION OF AGENT


This letter shall serve as a designation of Jonathan T. Johnson and Tucker F. Mackie of Kutak Rock LLP, whose address is 107 West College Avenue, Tallahassee, Florida 32301, to act as agent for Fruitland Park Development IV, LLC with regard to filing the Petition to the City Council of the City of Fruitland Park, Florida, to establish a Community Development District pursuant to Chapter 190, Florida Statutes. The petition is true and correct. This authorization shall remain in effect until revoked in writing.

WITNESSES:

Fruitland Park Development IV, LLC,
a Florida Limited Liability Company


Name: LESA WHITE



Name: ALLYSON V. RICHARD

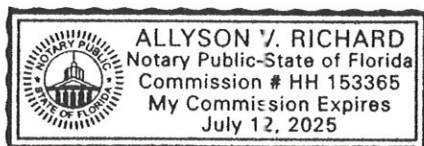
By: 
Name: Richard C. Wohlfarth
Title: Manager

STATE OF FLORIDA
COUNTY OF SEMINOLE

I hereby certify that on this day, before me, by means of ☒ physical presence or ☐ online notarization, an officer duly authorized to take acknowledgments, personally appeared RICHARD C. WOHLFARTH as Manager of Fruitland Park Development IV, LLC who executed the foregoing instrument, acknowledged before me that he executed the same on behalf of the foregoing entity and was identified in the manner indicated below.

Witness my hand and official seal this 9th day of November, 2023.


Notary Public



Personally known: ☒
Produced Identification: _____
Type of Identification: _____

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

ITEM TITLE: CITY MANAGER’S REPORT

MEETING DATE: Thursday, February 8, 2024

DATE SUBMITTED: Tuesday, February 31, 2024

SUBMITTED BY: City Manager

BRIEF NARRATIVE: City Manager’s Report

- i. Economic Development Status Update
- ii. Commercial Developments Permits Issued Status Update
- iii. Comprehensive Plan Status Update Report

FUNDS BUDGETED: None

ATTACHMENTS:

RECOMMENDATION:

ACTION: None

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

ITEM TITLE: CITY ATTORNEY REPORT

MEETING DATE: Thursday, February 8, 2024

DATE SUBMITTED: Thursday, February 2, 2024

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): Attorney Roper on behalf of the City is filing a Motion to Disburse Surplus Funds in favor of the City for \$16,223.19 which is the amount of the surplus funds remaining in the Court's registry.

Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628: Mediation is scheduled April 9, 2024 with mediator Rick Joyce, Esq. The city manager and I will participate in mediation. I have requested dates from attorney Roper for the purpose of scheduling a closed session meeting with the Commission in advance of mediation.

Code of Ordinances Codification: On October 29, 2023 I responded to comments relating to the proposed Table of Contents. CivicPlus anticipates producing the draft code proofs in January or February of 2024. On January 16, 2024, I received confirmation we are still on track to receive draft code proofs by the end of February 2024.

FUNDS BUDGETED: None

ATTACHMENTS: Revised Ballot Questions

RECOMMENDATION:

ACTION: None

QUESTION 1.

Sec. 4.00. — City treasurer.

~~The commission shall appoint a city treasurer. The city treasurer shall be the chief financial officer of the city responsible to the city commission for the preparation and recordkeeping of all financial matters of the city and shall perform such other duties as may be assigned by this charter, ordinance or the city commission.~~

Sec. 4.01. — City clerk.

~~The commission shall appoint a city clerk. The city clerk shall give notice of commission meetings to its members and the public and shall keep the minutes of its proceedings which shall be a public record, and perform such other duties as are assigned by this charter and by ordinance.~~

Sec. 4.03. - Appointment and term of office of city treasurer, city clerk and city attorney.

~~The city commission by majority vote shall annually appoint the city treasurer, city attorney, and city clerk, and any other city officer created under this section at such compensation as is deemed necessary and proper, for terms of twelve (12) months to run concurrent with the fiscal year or until such time as its successors in office are duly appointed and qualified. Said officers may be discharged for cause during their term of office by a three-fifths (3/5) majority vote of the city commission. A motion to discharge shall contain the grounds upon which the motion is based. The date of the vote thereupon shall not occur at the same commission meeting at which the motion is made and duly seconded. Said officer affected shall be entitled to a public hearing upon request prior to the taking of the vote upon any motion to discharge.~~

Sec. 4.00 – City Treasurer and City Clerk.

The city manager shall hire a city clerk and city treasurer as employees of the city who will serve under the direction and authority of the city manager. Appointment of the city clerk is subject to approval by a majority vote of the city commission.

HIRING OF CITY TREASURER AND CITY CLERK

Should the Charter of Fruitland Park be amended to provide for the city manager to hire a city treasurer and a city clerk to serve under the direction and authority of the city manager with appointment of the city clerk subject to approval by a majority vote of the commission?

_____ YES

_____ NO

QUESTION 2.

Sec. 4.02. - City attorney.

There shall be a city attorney of the city who shall serve as chief advisor to the city commission, the city manager and all city departments, all officers of the city, and who shall represent the city in all legal proceedings and shall perform any other duties prescribed by this charter or by ordinance. The city attorney shall be a member in good standing of the Florida Bar Association and have been admitted to practice in the State of Florida for at least five (5) years prior to appointment. The city commission may also appoint such assistant city attorneys from time to time and for such periods as it may deem necessary to assist the city attorney or to perform services on specific or special matters. The city attorney and any assistant city attorneys serve at the pleasure of the commission. The city commission may remove the city attorney and any assistant city attorneys by a majority vote of the city commission at any time and without a public hearing.

REMOVAL OF CITY ATTORNEY AND ANY ASSISTANT CITY ATTORNEY BY MAJORITY VOTE OF CITY COMMISSION

Should the Charter of Fruitland Park be amended to make clear that the city attorney and any assistant city attorney serves at the pleasure of the City Commission, may be terminated by a majority vote of the Commission at any time and without a public hearing?

_____ YES

_____ NO

QUESTION 3.

Sec. 3.15. - Codes of technical regulations.

The commission may adopt any standard code of technical regulations by reference thereto in an adopting resolution ~~ordinance~~. The procedure and requirements governing such an adopting resolution ~~ordinance~~ shall be as prescribed for resolutions ~~ordinances~~ generally except that:

(1) The requirements for distribution and filing of copies of the resolution ~~ordinance~~ shall be construed to include copies of the code of technical regulations as well as of the adopting resolution ~~ordinance~~; and

(2) A copy of each adopted code of technical regulations as well as of the adopting resolution ~~ordinance~~ shall be authenticated and recorded by the city clerk pursuant to Section 3.16(a). Copies of any adopted code of technical regulations shall be made available by the city clerk for inspection ~~distribution~~ or for copying in accordance law. ~~purchase at a reasonable price.~~

ADOPTION OF STANDARD CODE OF TECHNICAL REGULATIONS BY RESOLUTION AND PROVIDING FOR INSPECTION AND COPYING

Should the Charter of Fruitland Park be amended to provide that the city commission will adopt standard code of technical regulations by resolution rather than by ordinance and to allow for inspection and copying of standard code of technical regulations by the public in accordance with The Florida Public Records Act and City regulations?

_____ YES

_____ NO

QUESTION 4.

~~ARTICLE VII. PLANNING AND ZONING BOARD~~

~~Sec. 7.01. Planning and zoning board.~~

~~There shall be a city planning and zoning board consisting of five (5) members appointed by the city commission for terms of three (3) years from among the qualified voters of the city. Members of the planning and zoning board shall hold no other city office or employment. The planning and zoning board may make recommendations to the city manager and the city commission on all matters affecting the physical development of the city and shall be consulted on the comprehensive land plan, the same may or shall be authorized or required to be enacted by the city commission by the laws of the State of Florida, and the planning and zoning board shall exercise any and all other duties and responsibilities as from time to time may be provided by law, this charter, or ordinances of the city.~~

MOVE LANGUAGE ESTABLISHING THE PLANNING AND ZONING BOARD FROM THE CHARTER TO THE CITY CODE

Should the Charter of Fruitland Park be amended to remove those provisions establishing the planning and zoning board, setting terms for board members, providing for duties and other provisions relating to the planning and zoning board and instead include provisions in the City Code?

_____ YES

_____ NO

CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
I t e m N u m b e r : 8

ITEM TITLE: **Public Comments**

MEETING DATE: **Thursday, February 8, 2024**

DATE SUBMITTED: **Monday, January 31, 2024**

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 BUDGETED: **None**

ATTACHMENTS:

RECOMMENDATION: **None**

ACTION: **None**