

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

April 25, 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

Invocation

Pledge of Allegiance – Police Chief

2. ROLL CALL

3. SPECIAL PRESENTATIONS (city manager/police chief)

Police Department

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.

Approval of Minutes (city clerk)

March 28, 2024 regular minutes.

5. REGULAR AGENDA

(a) Right-of-Way Dedication - Sunset Way Discussion (city manager/public works director)

Discussion on Sunset Way ROW dedication.

(b) Delegation Request – Keeping of Chickens or Fowl (city manager)

Delegation request – keeping chickens or fowl.

PUBLIC HEARING

(c) Ordinance 2024-004 Charter Amendment City Attorney/Assistant City Attorney Removal – Referendum (city attorney)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AN AMENDMENT OF THE CHARTER OF THE CITY OF FRUITLAND PARK BY AMENDING ARTICLE IV,

SECTION 4.02 TO CLARIFY THAT THE CITY ATTORNEY AND ANY ASSISTANTS SERVE AT THE PLEASURE OF THE CITY COMMISSION AND ALLOW THE CITY COMMISSION TO REMOVE THE CITY ATTORNEY OR ANY ASSISTANT CITY ATTORNEY BY A MAJORITY VOTE AT ANY TIME AND WITHOUT A PUBLIC HEARING; PROVIDING SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 2024, GENERAL ELECTION; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 9, 2024.)

(d) Ordinance 2024-005 Charter Amendment Hiring of City Clerk and City Treasurer – Referendum (city attorney)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AN AMENDMENT OF THE CHARTER OF THE CITY OF FRUITLAND PARK BY AMENDING ARTICLE IV, SECTIONS 4.00, 4.01, AND 4.03 TO PROVIDE FOR THE CITY MANAGER TO HIRE THE CITY CLERK AND CITY TREASURER NOT THE CITY COMMISSION; PROVIDING SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 2024, GENERAL ELECTION; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 9, 2024.)

(e) Ordinance 2024-006 Charter Amendment Planning and Zoning Board – Referendum (city attorney)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AN AMENDMENT OF THE CHARTER OF THE CITY OF FRUITLAND PARK BY AMENDING ARTICLE VII, SECTION 7.01 TO MOVE LANGUAGE ESTABLISHING THE PLANNING AND ZONING BOARD TO THE CITY CODE; PROVIDING SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS;

REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 2024, GENERAL ELECTION; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 9, 2024.)

(f) Ordinance 2024-007 Charter Amendment – Adoption by Resolution of Standard Code of Technical Regulations Referendum (city attorney)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AN AMENDMENT OF THE CHARTER OF THE CITY OF FRUITLAND PARK BY AMENDING ARTICLE III, SECTION 3.15 TO ALLOW ADOPTION OF STANDARD CODE OF TECHNICAL REGULATIONS BY RESOLUTION RATHER THAN ORDINANCE; PROVIDING SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 2024, GENERAL ELECTION; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 9, 2024.)

6. (a) City Manager

i. Economic Development Status Update Report

ii. Commercial Developments Permits Issued Status Update Report

(b) City Attorney

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

ii. 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

- May 7, 2024, Creative Conversations, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34731 at 10:30 a.m.;
- May 8, 2024, *Reading Between the Wines*, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34731 at 4:00 p.m.;
- May 9, 2024 City Commission regular at 6:00 p.m.;
- May 10, 2024, *Legislative Update*, Lake County League of Cities, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at noon;
- May 22, 2024, Congressman Daniel Webster's Mobile Office Hours, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34731 at 1:00 p.m.,
- May 23, 2024 City Commission regular at 6:00 p.m., and
- May 30, 2024, Chef Warren Caterson's *Thrill of the Grill*, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34731 at 5:00 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 – Police Department

MEETING DATE: Thursday, April 25, 2024

DATE SUBMITTED: Friday, April 19, 2024

SUBMITTED BY: City Manager/Police Chief

BRIEF NARRATIVE: Police Department Personnel

- i. *2022 Officer of the Year Award*
- ii. New Police Officer Introductions
- iii. Educational Recognitions

FUNDS BUDGETED: None

ATTACHMENTS: None

RECOMMENDATION: None

ACTION: None

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

ITEM TITLE: Draft Meeting Minutes

MEETING DATE: Thursday, April 25, 2024

DATE SUBMITTED: Monday, April 15, 2024

SUBMITTED BY: city clerk

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

Approval of Minutes

March 28, 2024 regular meeting minutes.

FUNDS BUDGETED: None

ATTACHMENTS: Draft minutes

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

ACTION: Approval

**FRUITLAND PARK CITY COMMISSION REGULAR
DRAFT MEETING MINUTES
March 28, 2024**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, March 28, 2024, at 6:00 p.m.

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

Member Absent: Commissioner John Mobilian participated by telephonic video conference.

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver; City Treasurer Gary Bachmann; Police Chief Erik Luce; Captain Henry Rains, Lieutenant Timothy “Tim” Ross, Sergeants David Cox, Keith Flanary, Brad Heidt, and Brian Hilberer, police department; Public Works Director Robb Dicus; 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); Lieutenant Jason Liska and Firefighter Codey Carpenter, Lake County Fire Rescue, and City Clerk Esther B. Coulson.

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

After Mayor Cheshire called the meeting to order and The Reverend Dr. George A. Mulford III, Grace Bible Baptist Church, gave the invocation, Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:01:41 p.m. No action was taken.

2. ROLL CALL

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

ACTION: 6:01:52 p.m. No action was taken.

By unanimous consent, Mayor Cheshire took the following items out of order on this evening’s agenda.

3. SPECIAL PRESENTATION

(b) Erik Luce Day - Proclamation and Plaque

On behalf of the city commission, Mayor Cheshire read into the record a proclamation proclaiming “*March 28, 2024 as Erik Douglas Luce Day in the City of Fruitland Park and extending the very best of wishes in his future endeavors.*”

ACTION: 6:03:25 p.m. Chief Luce accepted the proclamation with much gratitude. He thanked the citizens for their support of the agency, the city commission on the department’s needs, and Mr. La Venia together with the department’s staff as well as his wife Karen. He addressed his intent to visit in the future to monitor the progress of the new public safety building.

(a) Swearing-in Oath of Office

Ms. Coulson administered the oath of office to Mr. Gary L. Barrett Jr., as the new police chief.

ACTION: 6:06:59 p.m. Mr. Barrett thanked the city commission for the opportunity; indicated that he was a long-time former employee of the City of Leesburg and is a City of Fruitland Park resident where he looks forward to working with the community. He addressed the intent to proceed in accrediting the police department.

Following the family's pinning of police (ranking) badges on Mr. Barrett, the city commission welcomed him to the city.

4. CONSENT AGENDA

The city commission considered its action to approve the consent agenda, the approval of the March 14, 2024 regular meeting minutes.

ACTION: 6:13:36 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission approved the consent agenda as previously cited.**

5. REGULAR AGENDA

Resolution 2024-016 National Pollutant Discharge Elimination System (NPDES) Program Coordination Agreement and Statement of Work – FY 2023-24

After Ms. Geraci-Carver read into the record the following title of proposed Resolution 2024-016, Mayor Cheshire called for interested parties to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE AGREEMENT AND STATEMENT OF WORK CITY OF FRUITLAND PARK NPDES PROGRAM COORDINATION FISCAL YEAR 2023-2024 AND ADDENDUM THERETO BETWEEN THE CITY OF FRUITLAND PARK, FLORIDA AND SURFACE WATER PROFESSIONAL, LLC FOR A NOT TO EXCEED FEE OF \$9,000; AUTHORIZING EXECUTION OF THE AGREEMENT AND ADDENDUM; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:13:49 p.m. After discussion, **a motion was made by Commissioner Gunter and seconded by Commissioner Bell that the city commission adopt Resolution 2024-016 as previously cited.**

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

6. (a) City Manager

i. Economic Development Status Update

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

ACTION: 6:16.01 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: 6:16.01 p.m. No action was taken.

iii. Collection of Storm Debris - Lake County Interlocal Agreement

Mr. La Venia referred to Lake County's amended and restated interlocal agreement regarding the collection of storm debris from streets and right-of-way with the city; pointed out his previous discussions with Mr. Dicus in that regard, and conveyed the city's Option A) to utilize the county's debris hauling contracts but assume its own responsibility to manage and fund the debris removal activity within its jurisdiction.

ACTION: 6:16.01 p.m. No action was taken.

iv. Public Safety Building – Buffer Area

At Mr. La Venia's request, Mr. Rankin referred to the March 15, 2024 inquiry from GatorSkitch (architects and planners retained by the city) regarding the property line setback for the proposed public safety building construction; relayed the recommendation to move the building back eight feet to accommodate the patio (concrete area) and elevator room that would encroach 30 foot set-back and reviewed the sketch depicting same. He conveyed the conclusion to allow a variance for the entire building to remain. (Copies of the sketch and rendering are filed with the supplemental papers to the minutes of this meeting.)

Following Vice Mayor DeGrave's concerns on the origins of the mistake, Mr. Rankin voiced his intent to provide a report to the city commission.

After further discussion and in response to Mayor Cheshire's inquiry, Ms. Geraci-Carver addressed the plan to submit a variance for consideration at the Planning and Zoning Board's future meeting before it is presented to the city commission.

ACTION: 6:16:36 p.m. No action was taken.

v. Fire Department Schedule Asbestos Removal and Demolition

Mr. La Venia addressed the plan for the fire department building to be demolished and the site cleared within the next 40 to 45 days.

ACTION: 6:29:51 p.m. Upon Vice Mayor DeGrave's suggestion and **by unanimous consent, the city commission directed the city manager to write a letter to Lake County Public Safety Director Emergency Services, with a copy to the Lake County Board of County Commissioners and County Manager, identifying the next 40 to 45 days as the date when the City of Fruitland Park would be commencing with the asbestos removal and demolition of the city's fire department building.**

(b) City Attorney

i. Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-001628

With respect to the Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-A-1628, Ms. Geraci-Craver recognized that the special session (closed to the public) will take place at 7:00 p.m. upon the conclusion of this evening's meeting and confirmed that Litigation Counsel Mr. Donovan A. Roper, attorney at Roper and Roper P.A, is expected to be in attendance.

ACTION: 6:33:13 p.m. No action was taken.

ii. Code of Ordinances – Codification

Ms. Geraci-Carver reported on the ongoing review of the city code and land development code regulations proof sheets received from CivicPlus prior to the deadline scheduled for the middle of April 2024 to provide comments back.

ACTION: 6:32:57 p.m. No action was taken.

iii. Underground Utility Easement – ARPA Funds 16" Water Main "Reserve at Spring Lake Water Main Improvements Project"

Ms. Geraci-Carver referred to the non-exclusive underground utility easement for The Reserve at Spring Lake Cove; pointed out the August 25 2022 master development agreement to accept the easement and noted the provision where same can be executed and recorded.

Mr. La Venia interjected that on March 25, 2024, a \$1m check (American Rescue Plan Act Funds disbursement) was received from the county for the *Fruitland Park Spring Lake Water Improvement*.

ACTION: 6:32:13 p.m. No action was taken.

7 UNFINISHED BUSINESS

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

ACTION: 6:33:31 p.m. No action was taken.

8. PUBLIC COMMENTS

Mr. Steven “Steve” Girard Stivlosky, City of Leesburg resident, addressed his attendance and copy of the flyers and bookmarks regarding the personhood resolution (city concept) at the March 23, 2024 Fruitland Park Day event and requested that the city commission allow Mr. La Venia to place said concept on the city commission agenda prior to May 12, 2024, Mother’s Day. (A copy of the flyer is filed with the supplemental papers to the minutes of this meeting.)

Ms. Christian Nelson, City of Leesburg resident, cited a verse from the bible.

ACTION: 6:33:32 p.m. No action was taken.

9. COMMISSIONERS’ COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian was absent from this evening’s meeting.

ACTION: 6:40:31 p.m. No action was taken.

(b) Commissioner Bell

Commissioner Bell reported on his recent medical improvements.

ACTION: 6:40:38 p.m. No action was taken.

(c) Commissioner Gunter

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

ACTION: 6:40:55 p.m. No action was taken.

(d) Vice Mayor DeGrave

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

ACTION: 6:41:08 p.m. No action was taken.

10. MAYOR’S COMMENTS

(a) Dates to Remember

Mayor Cheshire announced the following dates:

- March 28, 2024 Attorney-Client Session at 7:00 p.m.,
- March 30, 2024, *Welcome Home Vietnam Veterans Day*, The Venetian Center, 1 Dozier Circle, Leesburg, Florida 34748 at 10:00 a.m.;
- March 30, 2024, Erik Luce’s Retirement Celebration, Recreation Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 2:00 p.m.;
- April 10, 2024, *Reading Between the Wines*, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34731 at 4:00 p.m.;
- April 11, 2024, AARP Tax-Aide, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34731 at 9:00 a.m.;

- April 11, 2024, *Pieces of my Mind* Meet the Poet, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34731 at 2:00 p.m.;
- April 11, 2024, City Commission regular at 6:00 p.m.;
- April 12, 2024, *State of Elections*, Lake County League of Cities, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at noon;
- April 13, 2024, Mommy and Son Mess, Northwest Lake Park Soccerfield, 300 Shiloh Street, Fruitland Park, Florida 34731 at 10:00 a.m.;
- April 24, 2024, Lake~Sumter Metropolitan Planning Organization Governing Board Meeting, 1300 Citizens Blvd., Suite 175, Leesburg, Florida 34748 at 2:00 p.m., and
- April 25, 2024, City Commission regular at 6:00 p.m.

ACTION: 6:41:11 p.m. No action was taken.

11. ADJOURNMENT

The meeting adjourned at 6:54 p.m.

The minutes were approved at the April 25, 2024 regular meeting.

Signed

Esther B. Coulson, City Clerk, MMC

Signed

Chris Cheshire, Mayor

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

ITEM TITLE: Right-of-Way Dedication – Sunset Way Discussion

MEETING DATE: Thursday, April 25, 2024

DATE SUBMITTED: Tuesday, April 16, 2024

SUBMITTED BY: City Manager

BRIEF NARRATIVE: ROW Dedication – Sunset Way Discussion

FUNDS BUDGETED: None

ATTACHMENTS: April 4, 2024 letter

RECOMMENDATION:

ACTION: None

Terry Ross

930 Thomas Ave. Ste.1
Leesburg, FL 34748

Phone (352) 728-6053
Fax (352) 728-2805
rossplbg1@gmail.com

April 04, 2024

City of Fruitland Park Commissioners and City Manager,

I Terry Ross owner of property Alt. Keys (1431638, 3619218, 1793785, 3854556, 3854557, 3854558, 1431671) located on Forest St. in the City of Fruitland Park, which all have common northern boundaries adjacent to the City of Fruitland Park gravel road Sunset Way. I am interested in negotiating an exchange of 10 feet of right of way dedicated to the City from each of these properties in exchange for the City using this ROW to install a low pressure sewer force main. At the City's expense to my property at Alt. Key #'s (1431638, 3619218) where I currently have a triplex under construction.

In discussion with the Public Works Director there is a desire by the City to obtain right of way on Sunset Way to make it possible in the future to pave this road. This letter is not meant to be legally binding in any way, shape or form but is intended to show my desire to negotiate in good faith in a manner that would be beneficial to both the City and I.

Sincerely,



Terry Ross

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

ITEM TITLE: Delegation Request – Keeping Chickens or Fowl

MEETING DATE: Thursday, April 25, 2024

DATE SUBMITTED: Tuesday, April 16, 2024

SUBMITTED BY: City Manager

BRIEF NARRATIVE: Delegation Request – keeping chickens or fowl.

FUNDS BUDGETED: None

ATTACHMENTS:

RECOMMENDATION:

ACTION: None

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

ITEM TITLE: Ordinance 2024-004 Charter Amendment – City Attorney

MEETING DATE: Thursday, April 25, 2024

DATE SUBMITTED: Tuesday, April 16, 2024

SUBMITTED BY: City Attorney

BRIEF NARRATIVE: Ordinance 2024-004 Charter Amendment – City Attorney

The City Commission at several public meetings discussed the City’s Charter and a desire to propose amendments to the City’s voters. The City Commission, also at several public meetings, reviewed proposed charter amendments and provided direction.

Currently the City of Fruitland Park Charter provides that before the City Commission can discharge the city attorney for cause during any twelve-month term a three-fifths majority vote is required and the vote may not occur during the meeting at which the motion to discharge is made and seconded. The Charter also entitles the city attorney to a public hearing upon request prior to the vote on a motion to discharge. The city attorney should always serve at the pleasure of the governing body and be subject to discharge upon a majority vote at any time and without a public hearing.

The attached charter amendment if approved by a majority vote of the voters will clarify that the city attorney and any assistants serve at the pleasure of the City Commission and may be discharged by a majority vote at any time and without a public hearing.

FUNDS REQUIRED: None

ATTACHMENTS: proposed ordinance 2024-004

RECOMMENDATION: Approve Ordinance 2024-004

ACTION: Approve or deny Ordinance 2024-004

ORDINANCE 2024-004

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AN AMENDMENT OF THE CHARTER OF THE CITY OF FRUITLAND PARK BY AMENDING ARTICLE IV, SECTION 4.02 TO CLARIFY THAT THE CITY ATTORNEY AND ANY ASSISTANTS SERVE AT THE PLEASURE OF THE CITY COMMISSION AND ALLOW THE CITY COMMISSION TO REMOVE THE CITY ATTORNEY OR ANY ASSISTANT CITY ATTORNEY BY A MAJORITY VOTE AT ANY TIME AND WITHOUT A PUBLIC HEARING; PROVIDING SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 2024, GENERAL ELECTION; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, currently the City of Fruitland Park Charter provides that before the City Commission can discharge the city attorney for cause during any twelve-month term a three-fifths majority vote is required and the vote may not occur during the meeting at which the motion to discharge is made and seconded; and

WHEREAS, the Charter also entitles the city attorney to a public hearing upon request prior to the vote on a motion to discharge; and

WHEREAS, the city attorney should always serve at the pleasure of the governing body and be subject to discharge upon a majority vote at any time and without a public hearing; and

WHEREAS, the City of Fruitland Park has advertised this ordinance no less than 10 days prior to the adoption as required by law; and

WHEREAS, the City Commission desires to seek electors' approval to amend the City Charter to clarify that the city attorney and any assistants serve at the pleasure of the City Commission and may be discharged by a majority vote at any time and without a public hearing.

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

Section 1. Findings. In adopting this Ordinance, the City Commission of the City of Fruitland Park (the "City Commission") hereby makes and expresses the following findings, purposes and intent:

(1) Section 166.031 of Florida Statutes provides for the governing body of a municipality to submit to the electors of said municipality a proposed amendment to its charter through referendum. Upon adoption of an amendment by a majority of the electors voting in a referendum upon such amendment, the amendment shall be incorporated into the charter and the revised charter filed with the Department of State.

(2) The city attorney should always serve at the pleasure of the governing body and subject to discharge upon a majority vote at any time and without a public hearing.

Section 2. Amendment of the City of Fruitland Park's Charter. Article IV, Section 4.02 entitled City Attorney is hereby amended as follows:

ARTICLE IV. - ADMINISTRATIVE

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.

Section 3. Referendum Called. The Charter amendment proposed in Section 2. of this Ordinance shall be presented to the City of Fruitland Park electorate at a referendum. The City Commission hereby authorizes, directs and requests the supervisor of elections to conduct the referendum, pursuant to applicable Florida law, with the date of the referendum to be November 5, 2024.

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

Section 4. Severability. If any provision or portion of this Ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

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

Section 6. Inclusion in Charter. It is the intention of the City of Fruitland Park and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City of Fruitland Park Charter as approved by a majority of electors voting on such measure.

Section 7. Effective Date. This Ordinance shall become effective immediately upon its passage as a non-emergency ordinance at two scheduled meetings of the City Commission. The Charter amendment provision provided herein shall be effective on November 5, 2024 subject to approval of a majority of electors voting on the measure and certification of the election results.

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

Anita Geraci-Carver, City Attorney

(SEAL)

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 _____

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

ITEM TITLE: Ordinance 2024-005 Charter Amendment – Hiring of City Clerk and City Treasurer

MEETING DATE: Thursday, April 25, 2024

DATE SUBMITTED: Tuesday, April 16, 2024

SUBMITTED BY: City Attorney

BRIEF NARRATIVE: Ordinance 2024-005 Charter Amendment – Hiring of City Clerk and City Treasurer

The City Commission at several public meetings discussed the City’s Charter and a desire to propose amendments to the City’s voters. The City Commission, also at several public meetings, reviewed proposed charter amendments and provided direction.

Currently the City of Fruitland Park Charter provides for the City Commission to appoint employees to serve as the city clerk and city treasurer, rather than be hired by the city manager. Having the City Commission appoint employees to these positions requires the City Commission address, in a public meeting, matters relating to employment including but not limited to employee performance and termination. The City is better served having a professional city manager hire the city clerk position and city treasurer position, and for these positions to serve under the direction of the city manager, as well as for employment related matters to be held outside of a public meeting.

The attached charter amendment, if approved by a majority vote of the voters, will provide for the city manager to hire the city clerk position and the city treasurer position rather than the City Commission.

FUNDS REQUIRED: None

ATTACHMENTS: proposed Ordinance 2024-005

RECOMMENDATION: Approve Ordinance 2024-005

ACTION: Approve or deny Ordinance 2024-005

ORDINANCE 2024-005

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AN AMENDMENT OF THE CHARTER OF THE CITY OF FRUITLAND PARK BY AMENDING ARTICLE IV, SECTIONS 4.00, 4.01, AND 4.03 TO PROVIDE FOR THE CITY MANAGER TO HIRE THE CITY CLERK AND CITY TREASURER NOT THE CITY COMMISSION; PROVIDING SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 2024, GENERAL ELECTION; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, currently the City of Fruitland Park Charter provides for the City Commission to appoint employees to serve as the city clerk and city treasurer, rather than be hired by the city manager; and

WHEREAS, having the City Commission appoint employees to these positions requires the City Commission address, in a public meeting, matters relating to employment including but not limited to employee performance and termination; and

WHEREAS, the City is better served having a professional city manager hire the city clerk position and city treasurer position, and for these positions to serve under the direction of the city manager, as well as for employment related matters to be held outside of a public meeting; and

WHEREAS, the City of Fruitland Park has advertised this ordinance no less than 10 days prior to the adoption as required by law; and

WHEREAS, the City Commission desires to seek electors approval to amend the City Charter to provide for the city clerk position and the city treasurer position to be hired by the city manager.

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

Section 1. Findings. In adopting this Ordinance, the City Commission of the City of Fruitland Park (the “City Commission”) hereby makes and expresses the following findings, purposes and intent:

(1) Section 166.031 of Florida Statutes provides for the governing body of a municipality to submit to the electors of said municipality a proposed amendment to its

charter through referendum. Upon adoption of an amendment by a majority of the electors voting in a referendum upon such amendment, the amendment shall be incorporated into the charter and the revised charter filed with the Department of State.

(2) The City is better served having a professional city manager hire the city clerk position and city treasurer position, and for these positions to serve under the direction of the city manager, as well as for employment related matters to be held outside of a public meeting.

Section 2. Amendment of the City of Fruitland Park's Charter. Article IV, Sections 4.00, 4.01, and 4.03 are hereby amended as follows:

ARTICLE IV. - ADMINISTRATIVE

~~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.

Section 3. Referendum Called. The Charter amendment proposed in Section 2. of this Ordinance shall be presented to the City of Fruitland Park electorate at a referendum. The City Commission hereby authorizes, directs and requests the supervisor of elections to conduct the referendum, pursuant to applicable Florida law, with the date of the referendum to be November 5, 2024.

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?

_____ YES
_____ NO

Section 4. Severability. If any provision or portion of this Ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

Section 5. Repeal

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

Section 6. Inclusion in Charter. It is the intention of the City of Fruitland Park and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City of Fruitland Park Charter as approved by a majority of electors voting on such measure.

Section 7. Effective Date. This Ordinance shall become effective immediately upon its passage as a non-emergency ordinance at two scheduled meetings of the City Commission. The Charter amendment provision provided herein shall be effective on November 5, 2024 subject to approval of a majority of electors voting on the measure and certification of the election results.

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

Anita Geraci-Carver, City Attorney

(SEAL)

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 _____

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

ITEM TITLE: Ordinance 2024-006 Charter Amendment – Planning and Zoning Board

MEETING DATE: Thursday, April 25, 2024

DATE SUBMITTED: Tuesday, April 16, 2024

SUBMITTED BY: City Attorney

BRIEF NARRATIVE: Ordinance 2024-006 Charter Amendment – Planning and Zoning Board

The City Commission at several public meetings discussed the City’s Charter and a desire to propose amendments to the City’s voters. The City Commission, also at several public meetings, reviewed proposed charter amendments and provided direction.

Currently the City of Fruitland Park Charter establishes the planning and zoning board, provides for qualifications of board members, sets the number of board members as well as stating the planning and zoning board’s purpose. In order to provide the Commission flexibility in determining the qualifications, terms and the number of board members, it is beneficial to move the language from the City’s Charter to the Code of Ordinances, rather than placing a charter amendment on the ballot each time a change is proposed.

The attached charter amendment if approved by a majority vote of the voters will move from the City’s Charter to the Code of Ordinances the language that establishes the planning and zoning board, provides for qualifications of board members, sets the number of board members and states the planning and zoning board’s purpose.

FUNDS REQUIRED: None

ATTACHMENTS: proposed Ordinance 2024-006

RECOMMENDATION: Approve Ordinance 2024-006

ACTION: Approve or deny Ordinance 2024-006

ORDINANCE 2024-006

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AN AMENDMENT OF THE CHARTER OF THE CITY OF FRUITLAND PARK BY AMENDING ARTICLE VII, SECTION 7.01 TO MOVE LANGUAGE ESTABLISHING THE PLANNING AND ZONING BOARD TO THE CITY CODE; PROVIDING SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 2024, GENERAL ELECTION; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, currently the City of Fruitland Park Charter establishes the planning and zoning board, provides for qualifications of board members, sets the number of board members as well as stating the planning and zoning board’s purpose; and

WHEREAS, in order to provide the Commission flexibility in determining the qualifications, terms and the number of board members it is beneficial to move the language from the City’s Charter to the Code of Ordinances, rather than placing a charter amendment on the ballot each time a change is proposed; and

WHEREAS, the City of Fruitland Park has advertised this ordinance no less than 10 days prior to the adoption as required by law; and

WHEREAS, the City Commission desires to seek electors approval to amend the City Charter to move the language from the Charter to the City Code.

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

Section 1. Findings. In adopting this Ordinance, the City Commission of the City of Fruitland Park (the “City Commission”) hereby makes and expresses the following findings, purposes and intent:

(1) Section 166.031 of Florida Statutes provides for the governing body of a municipality to submit to the electors of said municipality a proposed amendment to its charter through referendum. Upon adoption of an amendment by a majority of the electors voting in a referendum upon such amendment, the amendment shall be incorporated into the charter and the revised charter filed with the Department of State.

(2) Allowing for language to be moved from the Charter to the Code provides the Commission with flexibility in establishing the qualifications, terms and the number of board members.

Section 2. Amendment of the City of Fruitland Park’s Charter. Article VII, Section 7.01 entitled Planning and Zoning Board is hereby deleted as follows:

~~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.~~

Section 3. Referendum Called. The Charter amendment proposed in Section 2. of this Ordinance shall be presented to the City of Fruitland Park electorate at a referendum. The City Commission hereby authorizes, directs and requests the supervisor of elections to conduct the referendum, pursuant to applicable Florida law, with the date of the referendum to be November 5, 2024.

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 and the number of board members, 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

Section 4. Severability. If any provision or portion of this Ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

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

Section 6. Inclusion in Charter. It is the intention of the City of Fruitland Park and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City of Fruitland Park Charter as approved by a majority of electors voting on such measure.

Section 7. Effective Date. This Ordinance shall become effective immediately upon its passage as a non-emergency ordinance at two scheduled meetings of the City Commission. The Charter amendment provision provided herein shall be effective on November 5, 2024 subject to approval of a majority of electors voting on the measure and certification of the election results.

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

Anita Geraci-Carver, City Attorney

(SEAL)

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 _____

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

ITEM TITLE: Ordinance 2024-007 Charter Amendment – Adoption by Resolution of Standard Code of Technical Regulations

MEETING DATE: Thursday, April 25, 2024

DATE SUBMITTED: Tuesday, April 16, 2024

SUBMITTED BY: City Attorney

BRIEF NARRATIVE: Ordinance 2024-007 Charter Amendment – Adoption by Resolution of Standard Code of Technical Regulations

The City Commission at several public meetings discussed the City’s Charter and a desire to propose amendments to the City’s voters. The City Commission, also at several public meetings, reviewed proposed charter amendments and provided direction.

Currently the City of Fruitland Park Charter requires any code of technical regulations such as but not limited to engineering standards for construction of roads, sidewalks, and utility facilities, to be adopted by ordinance thereby requiring two public readings and a final adoption hearing. In order to expedite the adoption and implementation of technical regulations that best serve the City and public, adopting such regulations by resolution is beneficial because resolutions only require adoption at one public meeting.

The attached charter amendment if approved by a majority vote of the voters will allow code of technical regulations to be adopted by resolution rather than requiring adoption by ordinance.

FUNDS REQUIRED: None

ATTACHMENTS: proposed Ordinance 2024-007

RECOMMENDATION: Approve Ordinance 2024-007

ACTION: Approve or deny Ordinance 2024-007

ORDINANCE 2024-007

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, PROVIDING FOR AN AMENDMENT OF THE CHARTER OF THE CITY OF FRUITLAND PARK BY AMENDING ARTICLE III, SECTION 3.15 TO ALLOW ADOPTION OF STANDARD CODE OF TECHNICAL REGULATIONS BY RESOLUTION RATHER THAN ORDINANCE; PROVIDING SPECIFYING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO ELECTORS; REQUESTING THE SUPERVISOR OF ELECTIONS TO PLACE THE BALLOT LANGUAGE ON THE BALLOT FOR THE NOVEMBER 2024, GENERAL ELECTION; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CHARTER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, currently the City of Fruitland Park Charter requires any code of technical regulations such as but not limited to engineering standards for construction of roads, sidewalks, and utility facilities, to be adopted by ordinance thereby requiring two public readings and a final adoption hearing; and

WHEREAS, the City Commission desires to expedite the adoption and implementation of technical regulations that best serve the City and public; and

WHEREAS, since resolutions only require adoption at one public meeting allowing adoption of technical regulations by resolution rather than by ordinance will achieve the City Commission’s goal; and

WHEREAS, the City of Fruitland Park has advertised this ordinance no less than 10 days prior to the adoption as required by law; and

WHEREAS, the City Commission desires to seek electors approval to amend the City Charter to allow code of technical regulations to be adopted by resolution rather than requiring adoption by ordinance.

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

Section 1. Findings. In adopting this Ordinance, the City Commission of the City of Fruitland Park (the “City Commission”) hereby makes and expresses the following findings, purposes and intent:

(1) Section 166.031 of Florida Statutes provides for the governing body of a municipality to submit to the electors of said municipality a proposed amendment to its charter through referendum. Upon adoption of an amendment by a majority of the

electors voting in a referendum upon such amendment, the amendment shall be incorporated into the charter and the revised charter filed with the Department of State.

(2) Allowing adoption by resolution expedites implementation of technical regulations that best serve the City and public.

Section 2. Amendment of the City of Fruitland Park’s Charter. Article III, Section 3.15 entitled Codes of technical regulations is hereby amended as follows:

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 with law. purchase at a reasonable price.

Section 3. Referendum Called. The Charter amendment proposed in Section 2. of this Ordinance shall be presented to the City of Fruitland Park electorate at a referendum. The City Commission hereby authorizes, directs and requests the supervisor of elections to conduct the referendum, pursuant to applicable Florida law, with the date of the referendum to be November 5, 2024.

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

Section 4. Severability. If any provision or portion of this Ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

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

Section 6. Inclusion in Charter. It is the intention of the City of Fruitland Park and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the City of Fruitland Park Charter as approved by a majority of electors voting on such measure.

Section 7. Effective Date. This Ordinance shall become effective immediately upon its passage as a non-emergency ordinance at two scheduled meetings of the City Commission. The Charter amendment provision provided herein shall be effective on November 5, 2024 subject to approval of a majority of electors voting on the measure and certification of the election results.

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

Anita Geraci-Carver, City Attorney

(SEAL)

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 _____

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

ITEM TITLE: CITY MANAGER’S REPORT

MEETING DATE: Thursday, April 25, 2024

DATE SUBMITTED: Thursday, April 18, 2024

SUBMITTED BY: City Manager

BRIEF NARRATIVE: City Manager’s Report

- i. Economic Development Status Update
- ii. Commercial Developments Permits Issued Status Update

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, April 25, 2024

DATE SUBMITTED: Friday, April 19, 2024

SUBMITTED BY: City Attorney

BRIEF NARRATIVE: City Attorney Report

Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628: Mediation previously scheduled April 9, 2024 was cancelled. Attorney Roper has been in communication with Plaintiffs' attorney relating to the status of representation. Updates will be provided in future reports.

Code of Ordinances Codification: On February 29, 2024 CivicPlus provided draft code proofs and draft LDR proofs for review and comment. Additions or deletions are due to CivicPlus no later than April 19th. On March 1st, a copy was provided to the city manager and a copy of the LDR proofs was provided to the community development department. I met with the community development department to review and formulate changes. Additionally, I made edits to the City Code and forwarded those to the city manager and city clerk for review and comment. I received notes from the city clerk and made further edits to the proofs. One set of proofs as revised were submitted to CivicPlus on April 18th. Receipt was acknowledged. If you would like a copy of the Code Proofs with edits and/or the LDR proofs with edits, please contact me and I will e-mail you a copy.

FUNDS BUDGETED: None

ATTACHMENTS: None

RECOMMENDATION:

ACTION: None

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

ITEM TITLE: Public Comments

MEETING DATE: Thursday, April 25, 2024

DATE SUBMITTED: Thursday, April 18, 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 REQUIRED: None

ATTACHMENTS:

RECOMMENDATION: None

ACTION: None