

**FRUITLAND PARK CITY COMMISSION  
REGULAR MEETING AGENDA**

**May 9, 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**  
Commander Larry Miller, American Legion (John Gella Memorial) Post 219  
  
Pledge of Allegiance – Police Chief Gary L. Barrett Jr.
- 2. ROLL CALL**
- 3. SPECIAL PRESENTATIONS – *Teacher Appreciation Week* May 6-10, 2024 Proclamations**
  - *2023-24 Teacher of the Year* Nominee – Ms. Kristy Fessenden, First-Grade Teacher and Team Leader
  - *Rookie Teacher of the Year* Nominee – Ms. Xenia Flores Lu
- 4. RECESS TO THE COMMUNITY REDEVELOPMENT AGENCY** (city clerk)  
On or before 6:15 p.m. recess to the community redevelopment agency.
- 5. 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.  
  
**Resolution 2024-019 Swimming Pool Exercise Classes – Infinity Fitness Inc. Agreement** (city attorney/city manager/parks and recreation director)
- 6. REGULAR AGENDA**
  - (a) Resolution 2024-020 Edward Byrne Memorial Justice Assistance Grant Program - JAG-Direct Grant** (city attorney/city manager/police chief)
  - (b) Resolution 2024-021 Resolution Park and Recreation Fees** (city attorney/city manager/parks and recreation director)

**(c) Landscape Curbing – NW Lake Park – Quotes** (city manager/parks and recreation director)

Motion to consider the quote from Bay-to-Bay Construction for \$58,000 for landscape curbing to be installed at Northwest Lake Park in the parking area.

**PUBLIC HEARING**

**(d) Second Reading and Public Hearing - 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 first reading was held on April 25, 2024.)

**(e) Second Reading and Public Hearing - 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 first  
reading was held on April 25, 2024.)

**(f) Second Reading and Public Hearing - 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 first  
reading was held on April 25, 2024.)

**(g) Second Reading and Public Hearing - 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 first  
reading was held on April 25, 2024.)

**7. (a) City Manager**  
**i. Economic Development Status Update Report**

**ii. Commercial Developments Permits Issued Status Update Report**

**iii. Christmas Tree Decoration – City Hall**

**(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**

**8 UNFINISHED BUSINESS**

**9. 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.

**10. COMMISSIONERS’ COMMENTS**

**(a) Commissioner Mobilian**

**(b) Commissioner Bell**

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

**(d) Vice Mayor DeGrave**

**11. MAYOR’S COMMENTS**

**12. ADJOURNMENT**

**DATES TO REMEMBER**

- May 18, 2024, *Daddy Daughter Square Dance*, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 6:00 p.m.

- 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*, 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: 3a-b**

**ITEM TITLE:** SPECIAL PRESENTATIONS

**MEETING DATE:** Thursday, May 9, 2024

**DATE SUBMITTED:** Thursday, April 25, 2024

**SUBMITTED BY:** city clerk

**BRIEF NARRATIVE:** *Teacher Appreciation Week May 6-10, 2024*  
**Proclamations**

- *2023-24 Teacher of the Year* Nominee – Ms. Kristy Fessenden, First-Grade Teacher and Team Leader
  
- *Rookie Teacher of the Year* Nominee – Ms. Xenia Flores Lu

**FUNDS BUDGETED:** None

**ATTACHMENTS:** Proclamations

**RECOMMENDATION:**

**ACTION:** None



# Proclamation

**WHEREAS**, teaching is recognized as one of the oldest professions in 561 BC where in Ancient Greece, a huge value was placed on educating children; and

**WHEREAS**, in 1944, an Arkansas school teacher wrote to politicians and educational professionals about the demand for a day to appreciate teachers and in 1953, First Lady Eleanor Roosevelt initiated and convinced the 81<sup>st</sup> Congress to proclaim a national day for teachers in recognition of their contributions; and

**WHEREAS**, on March 7, 1980, America celebrated the first *National Teacher Appreciation Day*, initiated by the National Parent Teacher Association (NPTA) -- the oldest and largest child advocacy nonprofit organization comprises millions of families, students, teachers, administrators, and business and community leaders – where they share a commitment to improve the education, health, and safety of all children who have faced challenging yet innovative times in their learning and development; and

**WHEREAS**, in 1984, celebrations for *National Teacher Appreciation Day* were moved to May and instead of one day, the PTA decided that teachers needed recognition for at least one week and in 1985, the National Education Association (NEA) made similar changes and officially designated the Tuesday of the first full week in May as *National Teacher Appreciation Day*; and

**WHEREAS**, Operation Bless Fruitland Park, an ongoing program supported by the city commission since 2015, was launched to create an attitude of generosity in working together to make a difference within the Fruitland Park community with the focus on working together on impacting the schools, its students, families and school staff where the local school is the center of activity; and

**WHEREAS**, teachers have influence in the lives of millions of children every day in schools across the country where their work and impact extend beyond classroom boundaries; teachers are selfless, dedicated caring individuals who devote themselves to touch the hearts of our students in a special way making a lasting difference on their lives, and teachers are honored for going beyond the call of duty to make a positive impact on our children’s learning and development; and

**WHEREAS**, First Lady Jill Biden, life-long educator who still teaches full-time has said *Teaching is not what you do; it’s who you are*; and

**WHEREAS**, the PTA, the NEA, Bless Fruitland Park, and city staff have teamed up to celebrate *Teachers’ Appreciation Week* from May 6 to 10, 2024 to honor and recognize their important contributions and their diversified abilities and skills to provide classroom educational activities which leave a lasting impression, and

**WHEREAS**, the city would like to thank Fruitland Park Elementary School First-Grade Teacher Kristy Fessenden, who for 24 years has been inspired and is passionate to nurture young minds in instilling a love for life-long learning and congratulate her on being nominated for the “Fruitland Park Elementary *Teacher of the Year*” Award;

**NOW, THEREFORE, BE IT RESOLVED** that I, Chris Cheshire, Mayor of the City of Fruitland Park, Florida, on behalf of the city commissioners, do hereby declare Monday, May 6 as ***National Teacher Appreciation Day*** and May 6 to 10, 2024 as ***Teachers’ Appreciation Week***; recognize the theme: *Teachers Are Our Shining Stars!* and celebrate them as they make the world brighter, one student at a time.

Dated this 9<sup>th</sup> day of May 2024.

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Chris Cheshire, Mayor  
Attest: Esther B. Coulson, City Clerk



# Proclamation

**WHEREAS**, teaching is recognized as one of the oldest professions in 561 BC where in Ancient Greece, a huge value was placed on educating children; and

**WHEREAS**, in 1944, an Arkansas school teacher wrote to politicians and educational professionals about the demand for a day to appreciate teachers and in 1953, First Lady Eleanor Roosevelt initiated and convinced the 81<sup>st</sup> Congress to proclaim a national day for teachers in recognition of their contributions; and

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**WHEREAS**, First Lady Jill Biden, life-long educator who still teaches full-time has said *Teaching is not what you do; it’s who you are*; and

**WHEREAS**, the PTA, the NEA, Bless Fruitland Park, and city staff have teamed up to celebrate *Teachers’ Appreciation Week* from May 6 to 10, 2024 to honor and recognize their important contributions and their diversified abilities and skills to provide classroom educational activities which leave a lasting impression, and

**WHEREAS**, the city would like to thank Fruitland Park Elementary School Second-Grade Teacher Xenia Flores-Lu, whose inspiration derived from her daughter, an Exceptional Student Education in the school district, to help other children and congratulate her on being nominated for the “Fruitland Park Elementary *Rookie Teacher of the Year*” Award;

**NOW, THEREFORE, BE IT RESOLVED** that I, Chris Cheshire, Mayor of the City of Fruitland Park, Florida, on behalf of the city commissioners, do hereby declare Monday, May 6 as ***National Teacher Appreciation Day*** and May 6 to 10, 2024 as ***Teachers’ Appreciation Week***; recognize the theme: *Teachers Are Our Shining Stars!* and celebrate them as they make the world brighter, one student at a time.

Dated this 9<sup>th</sup> day of May 2024.

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Chris Cheshire, Mayor  
Attest: Esther B. Coulson, City Clerk



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

**ITEM TITLE:** Community Redevelopment Agency (CRA) Meeting

**MEETING DATE:** Thursday, May 9, 2024

**DATE SUBMITTED:** Monday, April 29, 2024

**SUBMITTED BY:** city clerk

**BRIEF NARRATIVE:** CRA Chapter 163, Florida Statutes.

**FUNDS BUDGETED:** No

**ATTACHMENT**

**RECOMMENDATION:** As soon as practical, recess to the CRA meeting.

**ACTION:** None

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

**ITEM TITLE:** Resolutions 2024-019

**MEETING DATE:** Thursday, May 9, 2024

**DATE SUBMITTED:** April 29, 2024

**SUBMITTED BY:** city attorney/city manager/parks and recreation director

**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.

**Resolution 2024-019 Swimming Pool Exercise Classes – Infinity Fitness Inc. Agreement**

**FUNDS BUDGETED:** none

**ATTACHMENTS:** proposed resolution (forthcoming) exhibit: agreement

**RECOMMENDATION:** Adopt Resolution 2024-019.

**ACTION** Approval

## AGREEMENT

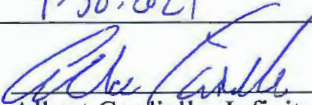
This Agreement is made on May 1, 2024 between Infinity Fitness and Spa Inc. ("Infinity Fitness"), 3200 US Hwy 441/27 Fruitland Park, Florida and the City of Fruitland Park for the Parks and Recreation Department ("the City"), 201 West Berckman Street, Fruitland Park, Florida 34731 to use the City's swimming pool for exercise.

The parties agree to the following terms and conditions: The Agreement between the two parties will be valid until September 8, 2024 except if otherwise terminated as provided below:

- 1 Infinity Fitness will pay the City a total of \$1.50 per visit for its members to use the pool located at Gardenia Park.
- 2 Infinity Fitness will also offer one additional class at the pool located at Gardenia Park no less than once per week and that any community participant can attend without charge by Infinity Fitness. The instructor will be paid directly by Infinity Fitness.
- 3 Insurance: Infinity Fitness, at its expense, shall acquire and maintain at all times liability insurance in the amounts specified by the City, including but not limited to, workers' compensation, required to cover its staff and employees who are involved in the performance of its obligations pursuant to this Agreement. Infinity Fitness's insurance shall name the City of Fruitland Park as an additional insured and as a certificate holder. Infinity Fitness shall provide a copy of all current certificates of insurance and endorsements, naming the City as an additional insured and a certificate holder, required hereunder to City within five (5) business days of execution of the contract by both parties.
- 4 If Infinity Fitness fails to make the necessary payment twice in a row, the City may terminate this contract immediately and will assess a penalty of two hundred dollars (\$200.00). Infinity Fitness will be required to pay the City all outstanding monies owed plus the penalty.
- 5 Infinity Fitness will only be liable for members that have complete names and key tag numbers included on bill. If Infinity Fitness fails to make the necessary payment even after the stipulated time, the City will have the authority to initiate civil litigation. Infinity Fitness will be sent a notice before the litigation is filed.
- 6 Governing Law/Venue and Jurisdiction: This Agreement shall be governed by the laws of the State of Florida without regard to conflicts of law provisions. Venue of any litigation arising out of this Agreement shall be only within any court of competent jurisdiction regularly sitting in Lake County, Florida.
7. All electronic files, audio and/or video recordings, and all papers pertaining to any activity performed by the provider for or on behalf of the CITY shall be the property of the CITY and will be turned over to the CITY upon request. In accordance with Florida "Public Records" law, Chapter 119, Florida Statutes, each file and all papers pertaining to any activities performed for or on behalf of the CITY are public records available for inspection by any person even if the file or paper resides in the CONTRACTOR'S office or facility.

IF THE CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONSULTANT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (352) 360-6790, [ecoulson@fruitlandpark.org](mailto:ecoulson@fruitlandpark.org), 506 West Berckman Street, Fruitland Park, Florida 34731.

8. Each party hereto acknowledges that this agreement contains all of the terms and provisions of the contractual relationship between the parties hereto and merges and terminates all prior or verbal negotiations with regard hereto. This agreement may not be assigned by either party without the prior written approval of other parties hereto.

Date: 4-30-2024  
  
\_\_\_\_\_  
Albert Cardello, Infinity Fitness and Spa Inc.

Date: \_\_\_\_\_  
\_\_\_\_\_  
Mayor Chris Cheshire, City of Fruitland Park, Florida

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

**ITEM TITLE:** Resolution 2024-020 Edward Byrne Memorial Justice Assistance Grant Program - JAG-Direct Grant

**MEETING DATE:** Thursday, May 9, 2024

**DATE SUBMITTED:** Tuesday, April 30, 2024

**SUBMITTED BY:** city attorney/city manager/police chief

**BRIEF NARRATIVE:** Resolution 2024-020 Edward Byrne Memorial Justice Assistance Grant Program - JAG-Direct Grant The Fruitland Park Police Department is eligible to submit an application for the Federal Fiscal Year 2023 JAGD Grant, in the amount of \$1,528.00. The JAGD Grant is a federal funded Department of Justice Grant, which passes through the Florida Department of Law Enforcement, provided to Florida law enforcement agencies who do not receive direct funding from the Department of Justice. The grant is a formula based sub-grant and is a non-matching grant. The grant is intended to be utilized by the police department to defray the cost to replace certain expendable equipment, such as rain gear and traffic safety vest or provide additional training supplies to increase training resources available to improve current training needs of the department.

**FUNDS BUDGETED:** No fiscal impact.

**ATTACHMENTS:** Proposed resolution (forthcoming) and Edward Byrne Memorial Justice Assistance Grant (JAG) Program JAG-Direct (JAGD) Solicitation and Allocation Sheet

**RECOMMENDATION:** Staff recommends approval of the resolution of the City of Fruitland Park, Florida, authorizing the Fruitland Park Police Department to submit an application for the Federal Fiscal Year 2023 JAGD Sub-Grant, in the amount of \$1528.00, and accept the grant award, if the application is approved

**ACTION:** Adopt Resolution 2024-020.



## Florida Department of Law Enforcement Office of Criminal Justice Grants

Post Office Box 1489 Tallahassee, Florida 32302-1489 ( 850) 617-1250 [criminaljustice@fdle.state.fl.us](mailto:criminaljustice@fdle.state.fl.us)

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### Federal Fiscal Year 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program JAG-Direct (JAGD) Solicitation

**SUBMISSION DEADLINE: 11:59 PM EST on Friday, June 14, 2024**

The Florida Department of Law Enforcement (FDLE), Office of Criminal Justice Grants (OCJG) is seeking applications for the state's Edward Byrne Memorial Justice Assistance Grant Direct (JAGD) Program. This program focuses on helping state and local agencies improve the criminal justice system.

#### Eligibility

Eligible applicants are limited to units of local government. A unit of local government is defined as a city, county, town, township, borough, parish, village, or other general-purpose political subdivision of the state, including Native American Tribes who perform law enforcement functions as determined by the Secretary of the Interior.

The allocations for Florida's FY 2023 JAGD program can be found in Appendix C.

#### Contact Information

The Office of Criminal Justice Grants (OCJG) main line is (850) 617-1250. For questions regarding this solicitation, ask to speak with the [grant manager for your jurisdiction](#). For technical assistance with the AmpliFund system or for issues creating and submitting an application in AmpliFund, visit the [AmpliFund Support Site](#) or submit your question directly to AmpliFund Customer Success by emailing [support@AmpliFund.zendesk.com](mailto:support@AmpliFund.zendesk.com).

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## Program Description

The Florida Department of Law Enforcement (FDLE) received an award from the United States Department of Justice (USDOJ) for the Edward Byrne Memorial Justice Assistance Grant (JAG). FDLE will distribute \$635,459 in JAG-Direct (JAGD) local share funds in accordance with the JAGD distribution provisions of [Chapter 11D-9, Florida Administrative Code](#). This Notice of Funding Opportunity seeks subrecipient applications for activities as they relate to criminal justice.

Please note this program solicitation contains information provided by the USDOJ regarding specific areas of national focus and the priorities to help maximize the effectiveness of Byrne/JAG funding. Applicants are strongly encouraged to consider these federal priorities when developing their applications.

## Length of Award and Distribution of Funds

JAG-Direct awards will be approved for a six (6) to eighteen (18) month project period between October 1, 2023 and September 30, 2025.

Grant funds are distributed on a cost reimbursement basis, with the ability to advance, for satisfactory performance of eligible activities. Payment requests can be submitted on a monthly or quarterly basis and should include total expenditures for the reporting period. Reimbursements will be processed in conjunction with the receipt and review of programmatic performance reports to determine successful completion of minimum performance deliverables as specified in the agreement.

## Program Strategy and Purposes

JAG funds may be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice in any one or more of the following purpose areas:

1. Law enforcement programs;
2. Prosecution and court programs;
3. Prevention and education programs;
4. Corrections and community corrections programs;
5. Drug treatment and enforcement programs;
6. Planning, evaluation, and technology improvement programs;
7. Crime victim and witness programs (other than compensation); and
8. Mental health programs and related law enforcement and corrections programs, including behavioral programs and crisis intervention teams.
9. Implementation of state crisis intervention court proceedings and related programs or initiatives, including but not limited to: mental health courts; drug courts; veteran courts; and extreme risk protection order programs.

Additionally, JAG funds awarded under this solicitation may be used for purposes identified in BJA's [allowable programs reference guide](#).

## Federal Priority Areas for Funding

BJA issues funding priorities in conjunction with JAG program guidance to ensure recipients and subrecipients are aware of areas of national focus and priority, and maximize the effective use of JAG funds. As a result, Florida passes-through these priority areas to subgrantees in the JAG-Direct solicitation. The federal JAG funding priorities for FY23 awards and subawards are as follows:



### **Advancing Justice System Reform Efforts**

The justice system serves an important role in protecting communities and seeking justice for victims. For the justice system to serve that role effectively, it must be fair, open, and equitable; utilize evidence-based approaches; and promote restorative practices and rehabilitation. For far too long, however, the justice system has not lived up to its promise. Racial bias and injustice and overly harsh sentences have swelled correctional populations which not only exacerbates distrust in the justice system, but also destabilizes the wellbeing of communities. To build strong, safe, and healthy communities, it is critical to address the underlying, entrenched issues of inequity and disparity in the criminal justice system so that all persons receive equal treatment under the law. Jurisdictions must carefully review the ways in which the structures and incentives within their own systems are driving correctional populations and racial disparities and realign operations and target resources toward community solutions.

Consistent with President Biden's [Executive Order 14074](#), Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety, and the [Safer America Plan](#), DOJ is committed to advancing bold, effective justice reform solutions that deliver safety, equity, and justice for all. Justice system reform includes, but is not limited to, a wide range of investments in community safety and justice such as accountability of law enforcement to build community trust, alternatives to incarceration, community supervision reforms, support for mental health and substance use treatment services, community-driven programs and partnerships, and enhancing pretrial processes. Efforts to continue to address the backlog of court cases created during the pandemic would fall in this category. BJA encourages JAG recipients to utilize funding for projects that promote all aspects of justice system reform.

### **Advancing Racial Equity and Support for Underserved Communities**

Consistent with the Presidential [Memorandum on Restoring the Department of Justice's Access-to-Justice Function and Reinvigorating the White House Legal Aid Interagency Roundtable](#) and [Executive Order 13985](#), Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, DOJ is committed to ensuring equal access to justice and identifying and reducing disparities that exist throughout the criminal and civil legal systems, and to remove barriers to ensure equal opportunity for people of color and for communities that have been historically underserved, marginalized, and adversely affected by inequality. This commitment is evidenced by the April 14, 2022, [Equity Action Plan](#) designed to increase equity, opportunity, and resources for the most vulnerable communities.

BJA encourages JAG recipients to utilize funds to support efforts at the state, territory, local, and tribal levels to institute more effective and equitable criminal justice policies and practices, foster public trust, and enhance public safety and security by increasing engagement with community members and building partnerships with community organizations to develop a shared vision and approach to addressing crime. This includes support for strategies to ensure the protection of defendants' and incarcerated individuals' constitutional rights and safety and efforts to address wrongful convictions and conviction integrity. This also includes supporting technological or personnel upgrades to provide more equitable access to justice, including language access resources, resources to better serve those with disabilities, and indigent defense services. Finally, this can include efforts to build partnerships between the criminal justice system and nonprofits to provide support for collaborative, community-driven and informed efforts, such as community-based diversion programs outside of the criminal justice system, increasing access to resources to support the right to counsel, and developing community-driven and informed prevention programs or responses to violent crime.

### **Preventing and Combating Hate Crimes**

Hate crimes (sometimes called bias-motivated crimes) are criminal offenses motivated by some form of bias toward victims based on their perceived or actual race, color, ethnicity, religion, national origin, sexual orientation, gender, gender identity, or disability. Hate crimes have a devastating effect beyond the harm inflicted on any one victim. They reverberate through families, communities, and the entire nation as others fear that they too may be threatened, attacked, or forced from their homes because of what they look like, who they are, where they worship, who they love, or whether they have a disability. As with most other crimes, hate crimes in the United States are primarily investigated under state law and prosecuted by local, state, and tribal authorities. However, reluctance from victims and witnesses to contact law enforcement about hate crime incidents may arise from perceptions of bias, distrust of law enforcement or the criminal justice system, or barriers such as language or concerns about immigration status. Hate crimes are chronically underreported to and under-identified by law enforcement. Tools such as the [U.S. Bureau of](#)

[Justice Statistics' National Crime Victimization Survey \(NCVS\)](#) and the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) program shed some light on trends among those hate crimes reported to law enforcement or through NCVS. Although hate crimes are often underreported, in recent years, there have been alarming spikes in hate crimes and threats of violence across the country, often fueled by online hate forums. In 2021 and 2022, there were several attacks on houses of worship, threats against Historically Black Colleges and Universities, and increased attacks on Asian Americans. Though many jurisdictions are facing significant increases in hate crimes and hate incidents, [a recent research study and survey from the National Institute of Justice \(NIJ\)](#) indicates that many state and local law enforcement agencies do not have adequate tools to identify, investigate, and respond to hate crimes, and only 23 percent of law enforcement agencies that responded to the survey reported any hate crime investigations in 2018.

In September 2022, Attorney General Merrick Garland [announced that all 94 U.S. Attorneys' offices](#) would be implementing the United Against Hate Program and emphasized that eliminating hate and bias-motivated crimes is one of DOJ's top priorities, and combating hate crimes and promoting trust and accountability in law enforcement was one of the Department's priority goals for fiscal year 2023. BJA encourages JAG recipients to utilize funding to promote change and accountability by supporting state, local, and tribal efforts to prevent hate crimes, improve data collection and reporting of hate-related criminal offenses and incidents, and promote efforts to fully investigate and prosecute hate crimes when they do occur. This includes ensuring those agencies that have not yet transitioned to the National Incident Based Reporting System (NIBRS) do so expeditiously to ensure that national hate crime statistics are as accurate as possible. More information on BJA's portfolio addressing hate crimes, including the [Emmett Till Cold Case Investigations](#) and [Matthew Shepard and James Byrd, Jr. Hate Crimes](#) programs, can be found at: [Hate Crime | Bureau of Justice Assistance \(ojp.gov\)](#).

### **Crime and Violence Reduction Strategies**

The Biden–Harris Administration and DOJ have made crime and violence reduction a top priority. In May 2022, President Biden signed [Executive Order 14074](#), Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety, which states, “since early 2020, communities around the country have faced rising rates of violent crime, requiring law enforcement engagement at a time when law enforcement agencies are already confronting challenges of staffing shortages and low morale.” According to an analysis of 27 cities conducted by the Council on Criminal Justice, the number of homicides in 2022 declined 4 percent over 2021, yet the homicide rate remained 34 percent higher than 2019 levels. Also, preliminary data compiled by the [National Law Enforcement Officers Memorial Fund](#) indicate that as of December 31, 2022, 226 federal, state, tribal, and local law enforcement officers died in the line of duty in 2022. Line-of-duty-related deaths continue to be a top concern. Sixty-four law enforcement officers were killed feloniously by firearms in 2022, which is an increase over the historical number of deaths by gunfire seen in the prior decade (2010–2020 saw an average of 53).

BJA encourages JAG grantees to invest funds to tailor programs and responses to state and local crime issues through the use of data and analytics; coordinate with United States Attorneys and Project Safe Neighborhoods grantees in order to leverage funding for crime and violence reduction projects and coordinate their law enforcement activities with those of federal law enforcement agencies such as the FBI, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Drug Enforcement Administration, the United States Marshals Service, and the Department of Homeland Security; and form partnerships with federal, state, and local law enforcement and prosecutors to identify persons who use guns to commit a crime and who purchase or sell guns illegally. This includes ensuring that persons prohibited from purchasing firearms (see e.g., 18 U.S.C. § 922(g)) are deterred from doing so by enhancing complete, accurate, and timely access to the FBI's National Instant Criminal Background Check System (NICS) and the timely submission of all necessary records into the FBI databases, which will help prevent illegal transfers of firearms to those who are prohibited from owning firearms under current law. BJA also encourages JAG grantees to invest in implementing programs that provide training, assistance, and resources to law enforcement agencies to mitigate the current crisis in law enforcement recruitment and retention, bolster the security of at-risk places of worship such as synagogues, churches, and mosques, provide security for prosecutors and elections, enhanced community policing and crime prevention, enforcement of commonsense gun laws, and upgrade systems and/or purchase technology that support agency strategies to reduce violent crime and enhance their capacity to better address crime.

## **Community Based Violence Intervention (CVI) Approaches**

In April 2021, the [Biden–Harris Administration announced historic investments in CVI](#) efforts to combat the gun violence epidemic. CVI is an approach that uses evidence-informed strategies to reduce violence through tailored, community-centered initiatives. These multidisciplinary strategies engage individuals and groups to prevent and disrupt cycles of violence and retaliation and establish relationships between individuals and community assets to deliver services that save lives, address trauma, provide opportunity, and improve the physical, social, and economic conditions that drive violence. On February 16, 2023, Attorney General Garland [delivered remarks](#) at a convening of grantees under OJP's [Community Based Violence Intervention and Prevention Initiative](#). He emphasized that DOJ's approach to disrupting violent crime is: "centered on our partnerships – both with the communities harmed by violent crime and with the law enforcement agencies that protect those communities. Our approach is centered on building public trust. We know that we cannot do our jobs effectively without the trust of the communities we serve. Our department-wide anti-violent crime strategy leverages the resources of our federal prosecutors, agents, investigators, grant programs, and criminal justice experts towards those ends. We are working closely with local and state law enforcement agencies, with officials across government, and with the communities most affected by this violence, and with the community organizations on the front lines – all toward one goal: the goal of making our communities safer."

BJA encourages JAG recipients to invest JAG funds to tailor programs to build strong, sustained partnerships with community residents and organizations to support CVI work in communities most impacted by violent crime. CVI strategies typically focus on high-risk individuals and gang and gun violence as well as the historical and structural challenges that often contribute to community violence. CVI strategies should involve holistic, coordinated interventions attending to the multiple needs of individuals at high risk of gang and gun violence. For example, hospital-based violence intervention programs use credible messengers to connect with victims of gun violence while they are still in the hospital, and then wraparound services are typically provided to them such as behavioral health support, employment access, housing advocacy, and family support. More information on CVI strategies is available through [BJA's National Training and Technical Assistance Center \(NTTAC\)](#) and on BJA's website at: <https://bja.ojp.gov/program/community-violence-intervention/overview>. BJA encourages JAG recipients to partner with organizations with existing CVI strategies to support and enhance those programs, which may include organizations funded under OJP's Community Based Violence Intervention and Prevention Initiative (CVIPI). To identify and learn more about existing CVIPI grantees, review [OJP's CVIPI web page](#) and FY 2022 CVIPI award information. In addition, jurisdictions looking to implement those strategies can request training and technical assistance (TTA) on the [NTTAC website](#).

## **Additional Uses of JAG Funds**

JAG funds awarded to a state under this FY 2023 solicitation may be used to:

- Support reentry projects with the goal of improving outcomes for incarcerated individuals returning to the community from prison or jail. Support projects related to preventing, detecting, seizing, and/or stopping the presence and use of contraband cellphones within correctional facilities. This includes the purchasing of managed access systems and other mitigation technologies (as permitted by applicable law).
- Purchase fentanyl and methamphetamine detection equipment, equipment including handheld instruments and training for law enforcement safety, as well as opioid reversal agents.
- Purchase drug-detection canines to combat the rise of drug trafficking, including that of methamphetamines.
- Support efforts to seal and expunge criminal history information in accordance with state laws and policies.
- Support efforts to attract and retain an all-inclusive, diverse, expert, and accountable law enforcement workforce, with a focus on gender and racial diversity.
- Support virtual reality de-escalation training.
- Purchase humane remote restraint devices that enable law enforcement to restrain an uncooperative subject without requiring the infliction of pain.
- Purchase gunfire detection technology.
- Promote data sharing and sex offender monitoring.

Additionally, JAG funds awarded under this FY 2023 solicitation may be used for any purpose indicated here: [Purposes for Which Funds Awarded Under the Edward Byrne Memorial Justice Assistance Grants \(JAG\) Program May Be Used \(ojp.gov\)](#).

## State-wide Funding Priorities

In order to comply with the statewide strategic planning requirements outlined in Section 502 of the Omnibus Crime Control and Safe Streets Act, FDLE conducted a survey in 2019 to gauge statewide priorities within each program area for funding.

Subrecipients are strongly encouraged to fund projects addressing at least one of the priorities outlined below. If the subrecipient wishes to fund a project that does not address one of the identified funding priorities, a written justification will need to be submitted to OCJG along with the application.

### **Law Enforcement**

- Equipment
- Training
- Traffic Enforcement
- Community Policing & Engagement

### **Prevention and Education**

- Anti-drug Programs
- School Violence Prevention
- Domestic Violence Prevention
- Pharmaceutical & Substance Abuse

### **Drug Treatment and Enforcement**

- Surveillance Equipment
- Drug Enforcement – Single Jurisdiction
- Multi-Jurisdictional Task Forces & Pharmaceutical Partnerships
- First responders, Crisis Response, Stabilization, Antagonists/Detox

### **Crime Victim & Witness**

- Behavioral Health Services
- Advocacy Services
- Counseling & Clinical Services
- Children Exposed to Violence, Abuse, & Neglect

### **Prosecution & Courts**

- Pre-trial Diversion
- Recidivism
- Training
- Property & White-Collar Crime

### **Corrections and Community Corrections**

- Behavioral Health Services
- Workforce
- Recidivism
- Diversion

### **Planning, Evaluation & Technology**

- Technology Upgrades
- Crime Statistics Reporting
- Investigative & Surveillance Technology
- Grant Management

### **Mental Health**

- Crisis Intervention Team Training & Support
- Evaluation/Assessments
- Suicide Risk Assessment, Response & Protocols
- Outpatient/Community Based Behavioral Health Programs

FDLE's Byrne/JAG strategic plan is available for review at:

[http://www.fdle.state.fl.us/FDLE-Grants/OCJG-Documents/JAG-Strategic-Plan/2019\\_JAG-Strategic-Plan\\_FINAL.aspx](http://www.fdle.state.fl.us/FDLE-Grants/OCJG-Documents/JAG-Strategic-Plan/2019_JAG-Strategic-Plan_FINAL.aspx)

## Eligibility Requirements

Applicants for JAG subawards must comply with all terms and conditions of the federal award and subaward, including those incorporated by reference. This section identifies specific program requirements that must be met as a condition of eligibility to receive federal funds under this program.

Each applicant must be able to document compliance with the following requirements:

[8 U.S.C §1373](#) *Communication Between Governments and the Immigration and Naturalization Service*  
[8 U.S.C §1644](#) *Communication Between State and Local Government Agencies and Immigration and Naturalization Service*  
[2 C.F.R. § 200.318-327](#) *Federal Procurement Standards*  
[2 C.F.R Part 200.300-309](#) *Standards for Financial and Program Management*  
[2 C.F.R. Part 25](#) *Universal Identifier and System for Award Management (SAM) Requirements*  
[28 C.F.R. Part 42](#) *Nondiscrimination; Equal Employment Opportunity; Policies and Procedures*

### **SAM Registration**

To apply for JAG funds, an organization and its users must be registered in AmpliFund and the organization must be registered with the U.S. Federal Government's System for Award Management (SAM) (2 C.F.R. Part 25).

To create or update your organization's annual SAM registration, go to [SAM.gov](https://sam.gov). The process can take up to 10 business days.

### **\*\*NEW\*\* E-Verify**

In accordance with Section 448.095, Florida Statutes, all Recipients of this funding must be registered in E-verify and utilize the system to verify the work authorization status of all employees hired on or after January 1, 2022. The Office of Criminal Justice Grants is not able to enter into any contractual agreement with a noncompliant organization.

### **Compliance with Applicable Federal Laws**

At the time of application, potential subrecipients are required to certify compliance with all applicable federal laws. All applicants should understand that if the DOJ Office of Justice Programs receives information indicating an applicant may be in violation of any applicable federal law, the applicant may be referred to the DOJ Office of Inspector General (OIG) for investigation. If the applicant is found to be in violation of an applicable federal law by the OIG, the applicant may be subject to criminal and civil penalties, in addition to relevant OJP programmatic penalties, including suspension or termination of funds, inclusion on the high-risk list, repayment of expended funds, and/or suspension and debarment.

### **Civil Rights Requirements**

Federal laws prohibit subrecipients of financial assistance from discriminating on the basis of race, color, national origin, religion, sex, disability, or age in funded programs or activities. All subrecipients, implementing agencies, and contractors must comply with any applicable statutorily-imposed nondiscrimination requirements, which are summarized below:

- **Title VI of the Civil Rights Act (Title VI) of 1964**, as amended, 42 U.S.C. § 2000d, and the DOJ implementing regulation, 28 C.F.R. pt. 42, subpts. C & D (prohibiting discrimination in federally assisted programs based on race, color, and national origin in the delivery of services or benefits).
- **Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968**, as amended, 34 U.S.C. §§ 10228(c) & 10221(a), and the DOJ implementing regulations, 28 C.F.R. pt. 42, subpts. D (prohibiting discrimination in programs funded under the statute, both in employment and in the delivery of services or benefits, based on race, color, national origin, sex, and religion) & E (requiring certain DOJ-funded programs subject to the administrative provisions of the statute to prepare, maintain, and submit an Equal Employment Opportunity Plan (EEO)). Applicants are advised to use the Office for Civil Rights EEO Reporting Tool at (<https://ojp.gov/about/ocr/eoop.htm>).
- **Section 504 of the Rehabilitation Act (Section 504) of 1973**, as amended, 29 U.S.C. § 794, and the DOJ implementing regulation, 28 C.F.R. pt. 42, subpt. G (prohibiting discrimination in federally assisted programs based on disability both in employment and in the delivery of services or benefits).



- **Title IX of the Education Amendments (Title IX) of 1972**, as amended, 20 U.S.C. § 1681, and the DOJ implementing regulations, 28 C.F.R. pt. 42, subpt. D & pt. 54 (prohibiting discrimination in federally assisted education programs based on sex both in employment and in the delivery of services or benefits).
- **Title II of the Americans with Disabilities Act of 1990**, as amended, 42 U.S.C. § 12132, and the implementing regulation at 28 C.F.R. § 35.171(a)(1)(i), (3)(i) (prohibiting discrimination based on disability both in employment and in the delivery of services or benefits).
- **Age Discrimination Act (Age Act) of 1975**, as amended, 42 U.S.C. § 6102, and the DOJ implementing regulation, 28 C.F.R. pt. 42, subpt. I (prohibiting discrimination in federally assisted programs based on age in the delivery of services or benefits).
- **Juvenile Justice and Delinquency Prevention Act (JJDP) of 1974**, as amended, 34 U.S.C. § 11182(b), and the DOJ implementing regulations, 28 C.F.R. §§ 31.202, .403 & pt.42, subpart. D (prohibiting discrimination in programs funded under the statute, both in employment and in the delivery of services or benefits, based on race, color, national origin, sex, and religion)
- **Victims of Crime Act (VOCA) of 1984**, as amended, 34 U.S.C. § 20110(e) and the regulation implementing the Victim of Crime Act Victim Assistance Program, 28 C.F.R. § 94.114 (prohibiting discrimination in programs funded under the statute, both in employment and in the delivery of services or benefits, based on race, color, national origin, sex, religion, and disability).
- **Executive Order 13559**, amending Executive Order 13279, and the DOJ implementing regulation, Partnerships with Faith-Based and Other Neighborhood Organizations, 28 C.F.R. pt. 38 (prohibiting discrimination in federally assisted social service programs based on religion in the delivery of services or benefits).
- **\*\*NEW\*\* Equal Employment Opportunity Certification (EEOC)**: Applicants must submit an EEO Certification annually within 120 days of the subaward. Failure to submit the required EEO Certification will result in the withholding of grant funds. Applicants must use the Office for Civil Rights EEO Reporting Tool at (<https://ojp.gov/about/ocr/eeop.htm>).
- **Limited English Proficiency (LEP)**: In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. Part 2000d, applicants in receipt of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with LEP. FDLE strongly advises applicants to have a written LEP Language Access Plan. For more information visit <https://www.lep.gov/>.
- **Partnerships with Faith-Based and Other Neighborhood Organizations**: Applicants, must comply with all applicable requirements of [28 C.F.R. Part 38](#), “Partnerships with Faith-Based and Other Neighborhood Organizations”, specifically including the provision for written notice to current or prospective program beneficiaries.

**Filing a Complaint** - If the applicant or any of its employees, contractors, vendors, or program beneficiaries has a discrimination complaint, they may file a complaint with the FDLE, its subrecipient, or with the Office for Civil Rights.

Discrimination complaints against the FDLE OCJG or one of its subrecipients may be filed using the OCJG complaint form or by letter and be submitted to FDLE by mail at: FDLE Office of General Counsel, Attention Civil Rights Complaint Coordinator, PO Box 1489, Tallahassee, FL 32302. Alternatively, the complaint may be delivered by facsimile to (850) 410-7699, or via email to the Office of General Counsel via the General Counsel for FDLE or the General Counsel's designee.

Complaints filed by letter should include the following information:

1. Name, address, telephone number, and email address of the complainant.
2. The victim or other witness of the alleged discrimination, if it is someone other than the

- complainant, if known.
3. The basis for the complaint, e.g., the complaint alleges (1) discrimination in services or employment based on race, color, national origin, sex, religion, or disability, or discrimination in services based on age, or (2) retaliation for engaging in protected activity. Please include as much detail as possible.
  4. The date of the alleged discriminatory or retaliatory conduct.
  5. The name and title of the person(s) who is alleged to have engaged in the discriminatory or retaliatory conduct.
  6. The complaint must be in writing, dated, and signed by the complainant.

As an alternative, or in addition to filing a complaint with the FDLE or a subrecipient, an individual may file a complaint with an appropriate external federal agency.

If a complaint involves employment discrimination, the complainant may file a complaint with:

U.S. Equal Employment Opportunity Commission  
31 M Street, NE  
Washington, DC 20507  
Phone: 202-663-4900  
TTY: 202-663-4494  
<http://www.eeoc.gov/employees/charge.cfm>

If a service discrimination complaint involves a program receiving federal financial assistance from the USDOJ, the complainant may file a complaint with:

U.S. Department of Justice, Office of Justice Programs  
Office for Civil Rights  
810 7<sup>th</sup> St NW  
Washington, DC 20531  
Phone: 202-207-0690  
TTY: 202-307-2027  
<http://ojp.gov/about/ocr/complaint.htm>

Additional details and information regarding the FDLE's complaint procedures can be found on OCJG's [Civil Rights Training for Grantees](#) webpage.

**Intergovernmental Review:** The FY23 JAG program is subject to Executive Order 12372. As a result, FDLE may provide information regarding subrecipient applications to the state single point of contact to satisfy this requirement.

## Match

Match is not required for the JAG program. However, if a subrecipient identifies match on an application that is approved for award, the match portion will be required.

## Administrative Costs

Administrative costs/fees are not eligible on JAG subawards.

## Prohibited Uses & Expenditures

JAG funds may not be used (whether directly or indirectly) for any purpose prohibited by federal statute or regulation, including those prohibited by the JAG Program statute ([34 U.S.C. § 10152](#)).

- **Supplanting:** JAG funds may not be used to supplant state or local funds. See BJA's [JAG FAQs](#) for examples of supplanting.

- Security Enhancements for Non-governmental Entities: JAG funds may not be used for security enhancement or equipment for non-governmental entities not engaged in criminal justice or public safety.
- Additional Restrictions: JAG funds may not be used to pay for any of the following items unless approved by the BJA Director: (A) vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters); (B) luxury items; (C) real estate; (D) construction projects (other than penal or correctional institutions); or (E) any similar matters.

**The use of BJA grant funds for unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV), and all accompanying accessories to support UAS or UAV, is unallowable.**

See BJA's [JAG FAQs](#) and [JAG Prohibited and Controlled Expenditure Guidance](#) for more information.

**Note:** FDLE will not approve the purchase of trinkets such as hats, mugs, portfolios, t-shirts, coins, gift bags, etc., with grant funds. Additional cost elements FDLE will not approve include, but are not limited to: gift cards/certificates, bus/transportation passes, entertainment costs, etc.

Grant funds may NOT be used to pay for extended warranties, service agreements, contracts, etc., covering any periods that extend beyond the project end date. Funds may be prorated for services within the project period.

**Project Adjustments:** Retroactive (after-the-fact) approval of project adjustments or items not currently in the approved subaward will only be considered under extenuating circumstances. Subrecipients who incur costs prior to approval of requested adjustments do so at the risk of the items being ineligible for reimbursement under the award.

## Other Restrictions Requiring Compliance, Certification, or Prior Approval

### **Methamphetamine Mitigation Plans**

Any program that funds any portion of methamphetamine laboratory operations or clean-up must complete a Meth Mitigation Plan that includes the nine protective measures or components required by BJA. If an agency's application requests funding related to meth lab mitigation, review the BJA website related to [NEPA compliance](#) (including information regarding meth labs) and contact FDLE's Office of Criminal Justice Grants for further assistance.

### **Publications and Other Media**

All media created, published, and/or altered using federal grant funds must be reviewed and approved by FDLE and/or BJA prior to release or distribution. This includes any curricula, training materials, brochures, or other written materials that will be published, including web-based materials and web site content, as well as all audio or video materials, including Public Service Announcements. Grantees must submit a draft of each proposed item to OCJG **no later than thirty (30) days prior** to the targeted dissemination date. For items containing videos, a transcript may be provided with screenshots or a description of the visual portion.

Any written, visual, or audio publications funded in whole or in part under this award, with the exception of press releases, must contain the following statements identifying the federal award:

*"This project was supported by Award No. 15PBJA-23-GG-02972-MUMU awarded by the Bureau of Justice Assistance/Bureau of Justice Statistics. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice."*



This requirement does not apply to the purchase or reproduction of existing materials or items created by other agencies or vendors, for example, crime prevention brochures, unless the subrecipient alters the item in any way. Neither does this requirement apply to items serving only to advertise an event or the availability of services. Please contact FDLE's grant's office with questions or to clarify the applicability of pre-approval requirements.

### **NEPA**

Any improvement, building or construction project will require pre-approval to ensure compliance with the National Environmental Policy Act (NEPA). This may include relatively minor activities such as installing fence posts, security or surveillance cameras, or anchoring any item to the ground. If the grant will fund any activities that may fall under this requirement, review the subaward standard condition related to NEPA and the section of the BJA web site related to [NEPA compliance](#) and contact FDLE's grant's office for assistance.

### **Sole Source**

If a subrecipient requests to procure goods or services by sole source to a single vendor, a sole source justification must be submitted to FDLE for approval prior to the obligation of grant funds. For a sole source procurement over the federal Standard Acquisition Threshold (SAT) of \$250,000, written pre-approval must be obtained from both FDLE and DOJ. Subrecipients should submit the completed [Sole Source Justification](#) form with the application, or as soon as the procurement method is known.

Sole source approval applies to the amount of the total procurement, regardless of the amount of federal investment in the purchase. Before submitting a request for a sole source procurement, applicants should carefully review the conditions governing this type of procurement (see [2 C.F.R. § 200.320\(f\)](#)).

### **Conference/Meeting/Training Costs**

OJP policy and guidance encourages minimization of conference, meeting, and training costs; sets cost limits, which include a general prohibition of all food and beverage costs; and requires prior written approval of most conference, meeting, and training expenditures. Subawards requesting to use grant funds for meetings, trainings, or conferences may be required to complete and submit an OJP event submission form upon request from FDLE and/or OJP.

### **Duplication of Networks**

To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the recipient can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

### **Entry of Records into State Repositories**

As appropriate and to the extent consistent with law, a condition will be imposed that would require the following: Any program or activity that receives federal financial assistance under JAG that is likely to generate court dispositions or other records relevant to NICS determinations, including any dispositions or records that involve any alien who is illegally in the United States (18 U.S.C. § 922(g)(5)(A), must have a system in place to ensure that all such NICS-relevant dispositions or records are made available in a timely fashion.

### **Body Armor (i.e., Ballistic Vests/Plate Carriers)**

Body armor purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the following requirements are met:

- The body armor must have been tested and found to comply with the latest applicable National Institute of Justice ballistic or stab standards.
- The body armor purchased must be made in the United States.
- The body armor purchased with JAG funds must be "uniquely fitted vests," which means protective (ballistic or stab-resistant) armor vests that conform to the individual wearer to provide the best possible fit and coverage through a combination of: (1) correctly sized panels and carrier

determined through appropriate measurement and (2) properly adjusted straps, harnesses, fasteners, flaps, or other adjustable features. Note that the requirement that body armor be "uniquely fitted" does not necessarily require body armor that is individually manufactured based on the measurements of an individual wearer.

A JAG subrecipient proposing to use FY23 funds to purchase body armor must provide FDLE with a [Body Armor Mandatory Wear Policy Certification](#) indicating each law enforcement agency receiving body armor has a written "mandatory wear" policy in effect. For more information, review the [FAQs related to the mandatory wear policy and certifications](#).

### **Body Worn Camera (BWC) Purchases**

JAG funds may be used to purchase equipment or to implement and/or enhance BWC programs. Subrecipients using JAG funds for BWC programs must certify the law enforcement agency receiving funds has policies and procedures in place relating to equipment use, data storage, privacy, victims, access, disclosure and training.

Any subrecipient intending to use grant funds for BWC-related expenses must provide FDLE with a [BWC Certification](#). A subrecipient without policies and procedures in place at the time of application will have funds withheld until a certification is submitted. Information regarding BWC policies, resources and best practices can be found at: <https://www.bja.gov/bwc>.

### **DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database**

If JAG funds will be used for DNA testing of evidentiary materials, any resulting eligible profiles must be uploaded to the Combined DNA Index System (CODIS) by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior written approval from FDLE's grants office and BJA.

In addition, funds may not be used to purchase DNA equipment and supplies when the resulting DNA profiles from such technology are not acceptable for entry into CODIS.

### **Interoperable Communications**

Subrecipients utilizing FY23 JAG funds to support emergency communications activities should review the most recent [SAFECOM Guidance](#). This includes the purchase of interoperable communications equipment and technology such as voice-over-internet-protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) waiver order.

Additionally, to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, subrecipients are required to comply with DOJ's [Global Justice Information Sharing Initiative](#) guidelines and recommendations. All subrecipients shall document planned approaches to information sharing and describe their compliance, or provide detailed justification for why an alternative approach is recommended.

Finally, JAG applicants proposing projects for interoperable communications should consider the use of First Responder Network Authority (FirstNet) Program. FirstNet's statutory mission is to take all actions necessary to ensure the establishment of a nationwide public safety broadband network (NPSBN). For more information, visit [www.firstnet.gov](http://www.firstnet.gov).

### **Employment Eligibility Verification**

Subrecipients must ensure that as part of the hiring process for any position that is or will be funded (in whole or in part) with award funds, the employment eligibility of the individual being hired is properly verified in accordance with the provisions of 8 U.S.C. 1324a(a)(1) and (2). The subrecipient may choose to participate in, and use E-Verify ([www.e-verify.gov](http://www.e-verify.gov)), provided an appropriate person authorized to act on behalf of the subrecipient entity uses E-Verify to confirm employment eligibility for each position funded through this award.

### **Subrecipient Civil Rights Training**

In compliance with Office of Justice Programs (OJP) requirements, FDLE requires the subrecipients of its grants to complete a two-part Civil Rights Training and maintain copies of the training certificates within their grant file(s) for monitoring. Module 1 of the training provides a basic overview of the Office of Civil Rights (OCR) and discusses the civil rights compliance requirements for recipients (at any tier) of OJP Grant Funding. Module 2 discusses "special" civil rights related compliance requirements in addition to the ones described in Module 1. To complete these trainings, visit the [OCJG Civil Rights Training for Grantees](#) webpage.

### **Determination of Suitability to Interact with Participating Minors**

Subrecipients, at any tier, who plan to use federal funds to partially or fully carry out activities under this award to benefit a set of individuals under 18 years of age must make determinations of suitability before certain individuals may interact with participating minors. Further information regarding this requirement is located on the OJP website <https://www.ojp.gov/funding/explore/interact-minors>.

1. Any applicant using grant funds to benefit a set of individuals under 18 years of age must complete and submit the "[Suitability to Work and/or Interact with Minors Certification](#)."
2. Subrecipients must maintain and submit the "[Suitability to Work and/or Interact with Minors Tracking Sheet](#)."

### **Telecommunications and Video Surveillance Services or Equipment**

In compliance with 2 C.F.R. 200.214, subrecipients are prohibited from entering into a contract or using federal funds to procure items from certain parties who are debarred, suspended or otherwise excluded from or ineligible for participation in federal assistance programs or activities. In addition, a prohibition on certain telecommunication and video surveillance services or equipment went into effect on August 13, 2020. In accordance with these requirements set out in 2 C.F.R. 200.216, subrecipients are prohibited from obligating funds to:

- A. Procure or obtain;
- B. Extend or renew a contract or procure or obtain;
- C. Enter into a contract to procure or obtain equipment, services, or systems that use telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, produced by Huawei Technologies Company or ZTE Corporation (or a subsidiary or affiliate of such entities).

Applicants who intend to use grant funds to procure telecommunications, video surveillance services, or equipment must:

1. Complete and submit the "[Telecommunications and Video Surveillance Services or Equipment Certification](#)."
2. Provide documentation the manufacturer and vendor has not been suspended or debarred from receiving federal funds in [SAM.gov](#) prior to the drawdown of funds.

### **Task Force Training Requirement**

The subrecipient agrees that within 120 days of award, each current member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training which include; Executive Leadership, Task Force Commander Leadership and Management, Safeguarding Privacy, Civil Rights, and Civil Liberties in Task Force Operations, Methamphetamine Investigative Management, available through BJA's web site and the Center for Task Force Integrity and Leadership ([www.centf.org](http://www.centf.org)), and Criminal Intelligence Systems Operating Policies (28 CFR Part 23) that can be accessed three ways:

1. [Regional Information Sharing Systems](#) (RISS) members may access the training through the secure RISS portal. Instructions may be found here: [https://28cfr.ncirc.gov/documents/Accessing\\_28CFRPart23\\_training\\_RISS.pdf](https://28cfr.ncirc.gov/documents/Accessing_28CFRPart23_training_RISS.pdf).

2. Members with a secure account through the Federal Bureau of Investigation's (FBI) [Law Enforcement Enterprise Portal](#) (LEEP) may log in to LEEP to access the training. Instructions may be found here: [https://28cfr.ncirc.gov/documents/Accessing\\_28CFRPart23\\_training\\_LEEP.pdf](https://28cfr.ncirc.gov/documents/Accessing_28CFRPart23_training_LEEP.pdf).
3. If your agency was previously provided with a preauthorization code, you may register for the training using that code by selecting the "LOG IN or SIGN UP" menu button located on the top left side of the home page. Enter your email address and password, then select "Preauthorization Registration."

All current and new task force members are required to complete this training once during the life of the award, or once every four years if multiple awards include this requirement. This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability.

When FDLE awards funds to support a task force, the subrecipient must compile and maintain a task force personnel roster along with course completion certificates. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership ([www.centf.org](http://www.centf.org)).

## State and Federal Transparency

Subaward agreements and information supplied to FDLE for grant management and payment purposes will be used to report to the following mandatory state and federal transparency systems:

### **Florida Accountability and Contract Tracking System (FACTS)**

This grant agreement, all corresponding information and a copy of the grant document, is provided to FACTS to meet requirements under Chapter 2013-54 and 2013-154 Laws of Florida.

### **Exemption from FACTS**

Please be aware, in the event that your agency's submission contains confidential and/or exempt information prohibited from public dissemination under Florida's Public Records Law, Chapter 119, Florida Statutes, the subrecipient agency bears the responsibility for applying proper redactions. Otherwise, any and all records submitted may be released without redactions.

### **Federal Funding Accountability and Transparency Act (FFATA)**

The Federal Funding Accountability and Transparency Act (FFATA) was signed on September 26, 2006, with the intent to empower every American with the ability to hold the government accountable for each spending decision. The end result is to reduce wasteful spending in the government. The FFATA legislation requires information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is [USASpending.gov](http://USASpending.gov). FDLE is required to report subaward data to FFATA as well.

## Application Instructions and Deadline

**Failure to follow application instructions may result in the incursion of a special condition at the time of award.**

In order to apply, an application must be submitted through FDLE's new electronic grant system (AmpliFund) by **11:59 PM EST on Friday, June 14, 2024**. No extensions of this deadline will be permitted.

Please see **Appendix A: Application Timeline** for other important dates.

## Application Requirements

Applications submitted under this solicitation must adhere to federal, state and program specific requirements.

For FY23, subrecipients will be required to complete the following documents at the time of application; failure to do so may result in the withholding of funds until items are received.

### **Subaward Management Capabilities and Compliance Questionnaire**

All applicants are required to complete the [Subaward Management Questionnaire](#), and submit to OCJG with their application. FDLE will use this form to validate a subrecipient's eligibility to apply, receive, and maintain a federal JAG subaward. Additionally, this validation will allow FDLE to expedite the monitoring process and ensure all subrecipients comply with program requirements.

### **Lobbying, Debarment and Drug Free Workplace Certification**

Subrecipients are not permitted to use federal funds, directly or indirectly, in support of any lobbying activity. A subrecipient receiving or requesting an award exceeding \$100,000 must certify compliance with this requirement.

Additionally, a person/agency that is debarred, suspended, declared ineligible or is voluntarily excluded is prohibited from receiving federal funds under this grant program. All subrecipients must certify the subgrantee organization, and any vendor or lower tiered subrecipient, is eligible to receive these funds.

In compliance with the Drug-Free Workplace Act of 1988, state agencies applying for federal grant funding under this program must certify compliance with establishing and maintaining a drug-free work environment.

Failure to submit the "[Lobbying, Debarment and Drug Free Workplace Certification](#)" to FDLE with the application may result in a withholding of funds condition on the subaward until the requirement is satisfied.

### **Contractual Services Subrecipient vs. Contractor Determination**

Subrecipients utilizing funds in the Contractual Services budget category must adhere to the subcontracting requirements below. All subrecipients should review the "[OJP Subaward vs. Procurement Toolkit](#)" for information regarding the two types of subcontracting.

1. Any applicant using grant funds in the Contractual Services budget category must complete and submit a "[Subrecipient vs. Contractor Determination Checklist](#)" for each contracted services item to FDLE with the application.
2. The application must contain detailed information regarding the type of subcontracting (subrecipient or contractor) and the method of procurement for the subcontract.
3. An applicant proposing to enter into a subrecipient contracting relationship must request approval to subaward in the grant application and be able to adhere to and document compliance with requirements and provisions for pass-through entities in [2 C.F.R. §200.332](#).
4. Applicants entering into a contractor relationship must adhere to the local unit of government's written procurement policies and procedures to the extent they are consistent with or more stringent than the procurement standards outlined in [2 C.F.R. § 200.318-327](#).

### **Law Enforcement Agency Training Information**

Any law enforcement agency receiving funds under a JAG subaward must submit performance accountability metrics data for the **2023 calendar year** related to training on: use of force, racial and ethnic bias, de-escalation of conflict, and constructive engagement with the public. These metrics will be collected via questionnaire from FDLE's grants office and reported to BJA's Performance Management Tool (PMT).

### **Death in Custody Reporting**

In FY19, OCJG began collecting data regarding in-custody deaths, in accordance with the Death in Custody Reporting Act (DCRA), which requires states and federal law enforcement agencies to report certain information to the Attorney General regarding the death of any person during interactions with law enforcement officers or while in custody. For the purposes of this requirement, a reportable death is **any** death – including deaths attributed to suicide, accident, or natural causes – that occurred during interactions with law enforcement personnel or while the decedent was in custody, under supervision or under the

jurisdiction of a state or local law enforcement or correctional agency, such as a jail or prison.

As a requirement of the state's Edward Byrne Memorial Justice Assistance Grant (JAG) award, Each quarter, subrecipients must submit the [Death in Custody Questionnaire](#) identifying all reportable deaths occurring in their jurisdictions during the reporting period. Information to be provided will include:

- The decedent's first, middle, and last name, gender, race, ethnicity, and year of birth
- The date, time, and location of the death
- Type of facility in which the death occurred
- Date of facility admission/arrest
- The law enforcement or correctional agency involved
- Manner of death
- Brief description of circumstances of death

We recognize that all of the requested information may not be available at the time of reporting. Please provide as much information as possible for each reported death.

## **Standard Conditions**

The standard conditions provide detailed compliance requirements for subrecipients upon signed acceptance of the subaward. It is imperative all persons involved with this subaward read the standard conditions. Failure to comply with the provisions outlined in the standard conditions may result in project costs being disallowed.

## Appendix A Application Timeline

June 29, 2023	Florida received notice of final state JAG appropriation from U.S. Department of Justice.
August 16, 2023	FDLE Office of Criminal Justice Grants (OCJG) submitted the final State of Florida application for FY23 Byrne JAG funding.
September 28, 2023	Florida accepted the state's FY23 federal JAG award.
April 15, 2024	OCJG released JAGD subgrant solicitation on the department's website; Notification emails sent to chief officials.
June 14, 2024	Deadline to submit applications in FDLE's electronic grants management system (AmpliFund).

# Appendix B

## Application Checklist

### What Each Applicant Should Do – Pre-Application

- Acquire or renew a Unique Entity Identifier (UEI) Number
- Acquire or renew registration with SAM.gov
- Obtain an *EEO Certification* via EEO Reporting Tool
- Read the FDLE subaward Special Conditions and DOJ Grants Financial Guide

### Additional Requirements

- Complete a Sole Source Justification form for sole source purchases of \$250,000 or more (if applicable)
- Complete the Subaward Management Questionnaire (all applicants)
- Complete a Lobbying, Debarment and Drug Free Workplace Certification (for state agencies and local units of government, if applicable)
- Complete a Subrecipient vs. Contractor Determination Checklist for each cost element requested in the Contracted Services budget category
- Complete a Third-Party Contract Compliance Checklist (if applicable)
- Complete a Third-Party Subaward Compliance Checklist (if applicable)
- Complete a Body Armor Mandatory Wear Policy Certification (if applicable)
- Complete a Confidential Funds Certification (if applicable)
- Complete Suitability to Work and/or Interact with Minors Certifications (if applicable)
- Complete Suitability to Work and/or Interact with Minors Tracking Sheet (if applicable)
- Complete Telecommunications and Video Surveillance Services or Equipment Certification (if applicable)



## Appendix C FY23 JAGD County Allocation

<b>County</b>	<b>Municipality</b>	<b>Amount</b>	<b>County</b>	<b>Municipality</b>	<b>Amount</b>
<b>ALACHUA</b>	Alachua City	\$3,003	<b>LEE</b>	Sanibel	\$1,000
	High Springs	\$1,000	<b>LEVY</b>	Cedar Key	\$1,000
<b>BAKER</b>	Baker County	\$4,180		Chiefland	\$1,000
<b>BAY</b>	Lynn Haven	\$2,219		Williston	\$1,000
	Mexico Beach	\$1,000	<b>LIBERTY</b>	Liberty County	\$1,000
	Parker	\$1,000	<b>MADISON</b>	Madison City	\$1,000
	Springfield	\$3,148	<b>MANATEE</b>	Bradenton Beach	\$1,000
<b>BRADFORD</b>	Bradford County	\$1,000		Holmes Beach	\$1,000
	Lawtey	\$1,000		Longboat Key	\$1,000
	Starke	\$2,580		Palmetto	\$4,799
<b>BREVARD</b>	Cocoa Beach	\$3,220	<b>MARION</b>	Bellevue	\$2,333
	Indialantic	\$1,000		Dunnellon	\$1,208
	Indian Harbor Beach	\$1,188	<b>MARTIN</b>	Jupiter Island	\$1,000
	Melbourne Beach	\$1,000		Sewall's Point	\$1,000
	Rockledge	\$4,159		Stuart	\$4,128
	Satellite Beach	\$1,000	<b>MONROE</b>	Key West	\$5,739
	West Melbourne	\$4,469	<b>NASSAU</b>	Fernandina Beach	\$1,424
<b>BROWARD</b>	Coconut Creek	\$7,741	<b>OKALOOSA</b>	Crestview	\$7,173
	Cooper City	\$3,705		Fort Walton Beach	\$5,532
	Hillsboro Beach	\$1,000		Niceville	\$1,000
	Lauderdale-By-The-Sea	\$1,260		Shalimar	\$1,000
	Lighthouse Point	\$2,147		Valparaiso	\$1,000
	Margate	\$8,051	<b>OKEECHOBEE</b>	Okeechobee City	\$2,260
	Parkland	\$2,157	<b>ORANGE</b>	Belle Isle	\$1,000
	Pembroke Park	\$2,374		Eatonville	\$1,497
	Seminole Tribe	\$6,059		Edgewood	\$1,000
	Southwest Ranches	\$2,033		Maitland	\$3,365
	West Park	\$3,912		Oakland	\$1,000
	Weston	\$3,540		Windermere	\$1,000
	Wilton Manors	\$5,264		Winter Park	\$7,968
<b>CALHOUN</b>	Calhoun County	\$1,000	<b>OSCEOLA</b>	St. Cloud	\$7,204
	Altha	\$1,000	<b>PALM BEACH</b>	Atlantis	\$1,000
	Blountstown	\$1,000		Gulf Stream	\$1,000
<b>CHARLOTTE</b>	Punta Gorda	\$2,952		Highland Beach	\$1,000
<b>CLAY</b>	Green Cove Springs	\$1,909		Hypoluxo	\$1,000
	Orange Park	\$2,013		Juno Beach	\$1,000
<b>COLLIER</b>	Marco Island	\$1,218		Jupiter Inlet Colony	\$1,000
	Naples	\$3,065		Lake Clarke Shores	\$1,000
<b>MIAMI-DADE</b>	Aventura	\$10,000		Lake Park	\$6,626
	Bal Harbour	\$1,000		Lantana	\$5,284
	Bay Harbor Islands	\$1,000		Manalapan	\$1,000
	Biscayne Park	\$1,000		Mangonia Park	\$2,952
	Coral Gables	\$10,000		North Palm Beach	\$1,000
	Cutler Bay	\$9,578		Ocean Ridge	\$1,000
	Doral	\$10,000		Pahokee	\$2,384

<b>MIAMI-DADE</b>	El Portal	\$1,000		<b>PALM BEACH</b>	Palm Beach	\$1,352
<b>Cont.</b>	Golden Beach	\$1,000		<b>Cont.</b>	Palm Beach Gardens	\$10,000
	Hialeah Gardens	\$5,068			Palm Beach Shores	\$10,000
	Key Biscayne	\$10,000			Royal Palm Beach	\$7,452
	Medley	\$10,000			South Bay	\$1,197
	Miami Lakes	\$4,706			South Bay Beach	\$1,000
	Miami Shores	\$5,862			Tequesta Village	\$1,000
	Miami Springs	\$4,717			Wellington Village	\$5,739
	Miccosukee Tribe	\$1,466		<b>PASCO</b>	Dade City	\$3,499
	North Bay Village	\$1,342			Port Richey	\$1,848
	Palmetto Bay	\$5,573			Zephyrhills	\$5,666
	Pincrest	\$4,727		<b>PINNELLAS</b>	Belleair	\$1,000
	South Miami	\$4,923			Belleair Beach	\$1,000
	Sunny Isles Beach	\$2,436			Belleair Bluffs	\$1,000
	Surfside	\$1,362			Dunedin	\$4,428
	Sweetwater	\$1,271			Gulfport	\$3,922
	Virginia Gardens	\$1,000			Indian Rocks Beach	\$1,000
	West Miami	\$1,000			Indian Shores	\$1,000
<b>DESOTO</b>	Arcadia	\$1,507			Kenneth City	\$1,000
<b>DIXIE</b>	Dixie County	\$2,260			Madeira Beach	\$1,455
	Cross City	\$1,000			North Redington Beach	\$1,000
<b>DUVAL</b>	Atlantic Beach	\$3,117			Oldsmar	\$2,178
	Neptune Beach	\$1,383			Redington Beaches	\$1,000
<b>FLAGLER</b>	Bunnell	\$1,187			Safety Harbor	\$2,498
	Flagler Beach	\$1,000			St. Pete Beach	\$2,188
<b>FRANKLIN</b>	Franklin County	\$2,508			Seminole City	\$3,912
	Apalachicola	\$1,000			South Pasadena	\$1,000
	Carrabelle	\$1,000			Tarpon Springs	\$4,717
<b>GADSDEN</b>	Gadsden County	\$3,117			Treasure Island	\$2,591
	Chattahoochee	\$1,538		<b>POLK</b>	Auburndale	\$5,739
	Gretna	\$1,000			Bartow	\$4,810
	Havana	\$1,000			Davenport	\$1,000
	Midway	\$1,000			Haines City	\$4,624
	Quincy	\$1,000			Lake Alfred	\$1,000
<b>GILCHRIST</b>	Gilchrist County	\$1,000			Lake Hamilton	\$1,000
	Trenton	\$1,000			Lake Wales	\$3,034
<b>GLADES</b>	Glades County	\$1,300		<b>PUTNAM</b>	Crescent City	\$1,000
<b>GULF</b>	Gulf County	\$2,260			Interlachen	\$1,000
	Port St. Joe	\$1,000			Palatka	\$6,275
<b>HAMILTON</b>	Hamilton County	\$2,487			Welaka	\$1,000
	Jasper	\$1,000		<b>ST. JOHNS</b>	St. Augustine	\$5,501
	Jennings	\$1,000			St. Augustine Beach	\$1,000
	White Springs	\$1,000		<b>SANTA ROSA</b>	Gulf Breeze	\$1,000
<b>HARDEE</b>	Hardee County	\$3,685			Milton	\$1,404
	Bowling Green	\$1,000		<b>SARASOTA</b>	Venice	\$3,736
	Wauchula	\$1,197		<b>SEMINOLE</b>	Lake Mary	\$2,364
<b>HENDRY</b>	Clewiston	\$2,054			Longwood	\$3,086
<b>HERNANDO</b>	Brooksville	\$2,859			Oviedo	\$3,086
<b>HIGHLANDS</b>	Lake Placid	\$1,000			Winter Springs	\$3,623
	Sebring	\$4,830		<b>SUMTER</b>	Center Hill	\$1,000

<b>HILLSBOROUGH</b>	Temple Terrace	\$5,728			Webster	\$1,000
<b>HOLMES</b>	Holmes County	\$2,198			Wildwood	\$2,291
	Bonifay	\$1,000		<b>SUWANNEE</b>	Live Oak	\$3,169
<b>INDIAN RIVER</b>	Fellsmere	\$1,000		<b>TAYLOR</b>	Taylor County	\$2,818
	Sebastian	\$1,817			Perry	\$4,263
	Vero Beach	\$2,931		<b>UNION</b>	Union County	\$1,383
<b>JACKSON</b>	Graceville	\$1,000		<b>VOLUSIA</b>	Daytona Beach Shores	\$10,000
	Marianna	\$2,601			Edgewater	\$4,211
	Sneads	\$1,000			Holly Hill	\$2,818
<b>JEFFERSON</b>	Jefferson County	\$2,364			Lake Helen	\$1,000
	Monticello	\$1,000			New Smyrna Beach	\$5,501
<b>LAFAYETTE</b>	Lafayette County	\$1,000			Orange City	\$6,234
<b>LAKE</b>	Astatula	\$1,000			Ponce Inlet	\$1,000
	Clermont	\$7,276			Port Orange	\$10,000
	Eustis	\$4,428			South Daytona	\$2,260
	Fruitland Park	\$1,528		<b>WAKULLA</b>	Wakulla County	\$5,192
	Groveland	\$2,188		<b>WALTON</b>	Walton County	\$7,916
	Howey-in-the-Hills	\$1,000			Defuniak Springs	\$2,209
	Lady Lake	\$1,641		<b>WASHINGTON</b>	Washington County	\$1,414
	Mascotte	\$2,126			Chipley	\$1,579
	Minneola	\$1,000				
	Mount Dora	\$5,109			<b>TOTAL</b>	<b>\$635,459</b>
	Tavares	\$2,580				
	Umatilla	\$1,000				

**FY 2023 JAGD Allocations**  
Released April 15, 2024

<b>County</b>	<b>Municipality</b>	<b>Amount</b>	<b>County</b>	<b>Municipality</b>	<b>Amount</b>	
<b>ALACHUA</b>	Alachua City	\$3,003	<b>LEE</b>	Sanibel	\$1,000	
	High Springs	\$1,000		<b>LEVY</b>	Cedar Key	\$1,000
<b>BAKER</b>	Baker County	\$4,180	Chiefland		\$1,000	
	<b>BAY</b>	Lynn Haven	\$2,219		Williston	\$1,000
Mexico Beach		\$1,000	<b>LIBERTY</b>	Liberty County	\$1,000	
Parker		\$1,000		<b>MADISON</b>	Madison City	\$1,000
Springfield		\$3,148			<b>MANATEE</b>	Bradenton Beach
<b>BRADFORD</b>		Bradford County	\$1,000	Holmes Beach		\$1,000
	Lawtey	\$1,000	Longboat Key	\$1,000		
	Starke	\$2,580	Palmetto	\$4,799		
	<b>BREVARD</b>	Cocoa Beach	\$3,220	<b>MARION</b>		Bellevue
Indialantic		\$1,000	Dunnellon		\$1,208	
Indian Harbor Beach		\$1,188	<b>MARTIN</b>		Jupiter Island	\$1,000
Melbourne Beach		\$1,000		Sewall's Point	\$1,000	
Rockledge		\$4,159	Stuart	\$4,128		
Satellite Beach	\$1,000	<b>MONROE</b>	Key West	\$5,739		
West Melbourne	\$4,469		<b>NASSAU</b>	Fernandina Beach	\$1,424	
<b>BROWARD</b>	Coconut Creek	\$7,741		<b>OKALOOSA</b>	Crestview	\$7,173
	Cooper City	\$3,705	Fort Walton Beach		\$5,532	
	Hillsboro Beach	\$1,000	Niceville		\$1,000	
	Lauderdale-By-The-Sea	\$1,260	Shalimar	\$1,000		
	Lighthouse Point	\$2,147	Valparaiso	\$1,000		
	Margate	\$8,051	<b>OKEECHOBEE</b>	Okeechobee City	\$2,260	
	Parkland	\$2,157		Belle Isle	\$1,000	
	Pembroke Park	\$2,374		Eatonville	\$1,497	
	Seminole Tribe	\$6,059		Edgewood	\$1,000	
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	West Park	\$3,912	Oakland	\$1,000		
	Weston	\$3,540	Windermere	\$1,000		
	Wilton Manors	\$5,264	Winter Park	\$7,968		
	<b>CALHOUN</b>	Calhoun County	\$1,000	<b>OSCEOLA</b>	St. Cloud	\$7,204
		Altha	\$1,000		<b>PALM BEACH</b>	Atlantis
Blountstown		\$1,000	Gulf Stream	\$1,000		
<b>CHARLOTTE</b>	Punta Gorda	\$2,952	Highland Beach	\$1,000		
	<b>CLAY</b>	Green Cove Springs	\$1,909	Hypoluxo		\$1,000
Orange Park		\$2,013	Juno Beach	\$1,000		
<b>COLLIER</b>	Marco Island	\$1,218	Jupiter Inlet Colony	\$1,000		
	Naples	\$3,065	Lake Clarke Shores	\$1,000		
	<b>MIAMI-DADE</b>	Aventura	\$10,000	Lake Park		\$6,626
Bal Harbour		\$1,000	Lantana	\$5,284		
Bay Harbor Islands		\$1,000	Manalapan	\$1,000		
Biscayne Park		\$1,000	Mangonia Park	\$2,952		
Coral Gables		\$10,000	North Palm Beach	\$1,000		
Cutler Bay		\$9,578	Ocean Ridge	\$1,000		
Doral		\$10,000	Pahokee	\$2,384		
El Portal		\$1,000	Palm Beach	\$1,352		
Golden Beach		\$1,000	Palm Beach Gardens	\$10,000		
Hialeah Gardens		\$5,068	Palm Beach Shores	\$10,000		
Key Biscayne		\$10,000	Royal Palm Beach	\$7,452		
Medley		\$10,000	South Bay	\$1,197		
Miami Lakes		\$4,706	South Bay Beach	\$1,000		
Miami Shores		\$5,862	Tequesta Village	\$1,000		
Miami Springs		\$4,717	Wellington Village	\$5,739		
Micosukee Tribe		\$1,466	<b>PASCO</b>	Dade City	\$3,499	
North Bay Village		\$1,342		Port Richey	\$1,848	
Palmetto Bay		\$5,573		Zephyrhills	\$5,666	
Pinecrest	\$4,727	<b>PINELLAS</b>	Belleair	\$1,000		
South Miami	\$4,923		Belleair Beach	\$1,000		
Sunny Isles Beach	\$2,436		Belleair Bluffs	\$1,000		

**FY 2023 JAGD Allocations**  
Released April 15, 2024

<b>County</b>	<b>Municipality</b>	<b>Amount</b>	<b>County</b>	<b>Municipality</b>	<b>Amount</b>	
<b>MIAMI-DADE</b> <b>Cont.</b>	Surfside	\$1,362	<b>PINELLAS</b> <b>Cont.</b>	Dunedin	\$4,428	
	Sweetwater	\$1,271		Gulfport	\$3,922	
	Virginia Gardens	\$1,000		Indian Rocks Beach	\$1,000	
	West Miami	\$1,000		Indian Shores	\$1,000	
<b>DESOTO</b>	Arcadia	\$1,507		Kenneth City	\$1,000	
	Dixie County	\$2,260		Madeira Beach	\$1,455	
<b>DIXIE</b>	Cross City	\$1,000		North Redington Beach	\$1,000	
	<b>DUVAL</b>	Atlantic Beach		\$3,117	Oldsmar	\$2,178
Neptune Beach		\$1,383		Redington Beaches	\$1,000	
<b>FLAGLER</b>	Bunnell	\$1,187		Safety Harbor	\$2,498	
	Flagler Beach	\$1,000		St. Pete Beach	\$2,188	
<b>FRANKLIN</b>	Franklin County	\$2,508		Seminole City	\$3,912	
	Apalachicola	\$1,000		South Pasadena	\$1,000	
	Carrabelle	\$1,000		Tarpon Springs	\$4,717	
<b>GADSDEN</b>	Gadsden County	\$3,117	Treasure Island	\$2,591		
	Chattahoochee	\$1,538	<b>POLK</b>	Auburndale	\$5,739	
	Gretna	\$1,000		Bartow	\$4,810	
	Havana	\$1,000		Davenport	\$1,000	
	Midway	\$1,000		Haines City	\$4,624	
	Quincy	\$1,000		Lake Alfred	\$1,000	
<b>GILCHRIST</b>	Gilchrist County	\$1,000		Lake Hamilton	\$1,000	
	Trenton	\$1,000		Lake Wales	\$3,034	
<b>GLADES</b>	Glades County	\$1,300		<b>PUTNAM</b>	Crescent City	\$1,000
	<b>GULF</b>	Gulf County			\$2,260	Interlachen
Port St. Joe		\$1,000		Palatka	\$6,275	
<b>HAMILTON</b>	Hamilton County	\$2,487	Welaka	\$1,000		
	Jasper	\$1,000	<b>ST. JOHNS</b>	St. Augustine	\$5,501	
	Jennings	\$1,000		St. Augustine Beach	\$1,000	
	White Springs	\$1,000	<b>SANTA ROSA</b>	Gulf Breeze	\$1,000	
<b>HARDEE</b>	Hardee County	\$3,685		Milton	\$1,404	
	Bowling Green	\$1,000		Venice	\$3,736	
<b>HENDRY</b>	Wauchula	\$1,197	<b>SARASOTA</b>	Lake Mary	\$2,364	
	Clewiston	\$2,054		Longwood	\$3,086	
<b>HERNANDO</b>	Brooksville	\$2,859	<b>SEMINOLE</b>	Oviedo	\$3,086	
	<b>HIGHLANDS</b>	Lake Placid		\$1,000	Winter Springs	\$3,623
Sebring		\$4,830	<b>SUMTER</b>	Center Hill	\$1,000	
<b>HILLSBOROUGH</b>	Temple Terrace	\$5,728		Webster	\$1,000	
	<b>HOLMES</b>	Holmes County		\$2,198	Wildwood	\$2,291
Bonifay		\$1,000	<b>SUWANNEE</b>	Live Oak	\$3,169	
<b>INDIAN RIVER</b>	Fellsmere	\$1,000		<b>TAYLOR</b>	Taylor County	\$2,818
	Sebastian	\$1,817	Perry		\$4,263	
	Vero Beach	\$2,931	<b>UNION</b>	Union County	\$1,383	
<b>JACKSON</b>	Graceville	\$1,000		<b>VOLUSIA</b>	Daytona Beach Shores	\$10,000
	Marianna	\$2,601	Edgewater		\$4,211	
	Sneads	\$1,000	Holly Hill		\$2,818	
	<b>JEFFERSON</b>	Jefferson County	\$2,364		Lake Helen	\$1,000
Monticello		\$1,000	New Smyrna Beach		\$5,501	
<b>LAFAYETTE</b>	Lafayette County	\$1,000	Orange City		\$6,234	
	<b>LAKE</b>	Astatula	\$1,000		Ponce Inlet	\$1,000
Clermont		\$7,276	Port Orange		\$10,000	
Eustis		\$4,428	South Daytona		\$2,260	
Fruitland Park		\$1,528	<b>WAKULLA</b>		Wakulla County	\$5,192
Groveland		\$2,188			<b>WALTON</b>	Walton County
Howey-in-the-Hills		\$1,000	Defuniak Springs			\$2,209
Lady Lake		\$1,641	<b>WASHINGTON</b>		Washington County	\$1,414
Mascotte		\$2,126			Chipley	\$1,579
Minneola		\$1,000				
Mount Dora		\$5,109				
Tavares		\$2,580				
Umatilla		\$1,000				
				<b>TOTAL</b>	<b>\$635,459</b>	

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

**ITEM TITLE:** Resolution 2024-021 Parks and Recreation Fees

**MEETING DATE:** Thursday, May 9, 2024

**DATE SUBMITTED:** Tuesday, April 30, 2024

**SUBMITTED BY:** city attorney/city manager/parks and recreation director

**BRIEF NARRATIVE:** Resolution 2024-021

**FUNDS REQUIRED:** None

**ATTACHMENTS:** Proposed resolution (forthcoming) and updated fee schedule

**RECOMMENDATION:** Approval.

**ACTION:** Adopt Resolution 2024-021

## Fee schedule update – please approve all items highlighted

### Sports

All Sports, per hour \$50 \*Remove 'per hour' \*Add \$70 (for football and cheerleading)

Men's Softball League, League player fee

Resident \$30

Non-resident \$35 \*Remove non-resident fee

### Sign Fee

Soccer field signs, per year \$500

One time sign fee \$150 Change to \$250 add \* the redesign fee is \$100

### Events

Soapbox Derby \*change Soapbox wording to Derby Kart Race

### Pool

Season Pass, per person \$50, change to annual Pass

Season Pass, per family \$150, change to Annual family of 4 pass \$150

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

**ITEM TITLE:** Landscape Curbing – Northwest Lake Community Park

**MEETING DATE:** Thursday, May 9, 2024

**DATE SUBMITTED:** Thursday, April 25, 2024

**SUBMITTED BY:** city manager/parks and recreation director

**BRIEF NARRATIVE:** Northwest Lake Community Park (formerly known as *Roy A. Cales Memorial Athletic Complex*) Multipurpose Soccer Field - pricing for landscape curbing to be installed in the parking area by Bay-to-Bay Construction for \$58,000. Funds have already been approved through the Lake County Recreation Grant.

**FUNDS BUDGETED:** Lake County Grant (will get reimbursed once complete)

**ATTACHMENTS:** Bay-to-Bay Construction's quote

**RECOMMENDATION:** Approve the quote for Bay-to-Bay Construction to install landscape curbing at Northwest Lake Community Park.

**ACTION:** Approve Bay to-Bay Construction's quote for \$58,000 to install landscape curbing at Northwest Lake Community Park.



# BAY TO BAY CONSTRUCTION

DATE: 8/6/2023

CHRIS HENRY  
526 W. Mirror Lake DR.  
Fruitland Park, FL 34731  
352-551-7512  
[chrishenrybaytobay@gmail.com](mailto:chrishenrybaytobay@gmail.com)

## PROPOSAL

JOB: FRUITLAND PARK (CURB AT SOCCERFIELD)

CONTRACTOR: FRUITLAND PARK

THIS PROPOSAL INCLUDES LABOR AND MATERIALS, INCLUDES EXCAVATE SOIL , PREP, PLACE AND FINISH APPROXEMITLY 900Inft OF CURB.

INCLUDE FILL DIRT FOR INSIDE OF CURB AFTER FINISHED.

TOTAL: \$58,000.00

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

**ITEM TITLE:** Second Reading and Public Hearing - Ordinance 2024-004  
Charter Amendment – City Attorney

**MEETING DATE:** Thursday, May 9, 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. (The first reading was held on April 25, 2024.)

**FUNDS REQUIRED:** \$104.94 (01514 30492)

**ATTACHMENTS:** Ordinance 2024-004 and affidavit.

**RECOMMENDATION:** Approve Ordinance 2024-004

**ACTION:** Enact Ordinance 2024-004 to become effective immediately as provided by law.

**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 April 25, 2024

Passed Second Reading \_\_\_\_\_

# 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 # **1187518** in the matter of

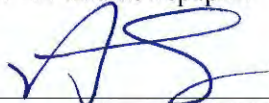
## NOTICE OF ORDINANCE 2024--004

was published in said newspaper in the issues of

**APRIL 28, 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

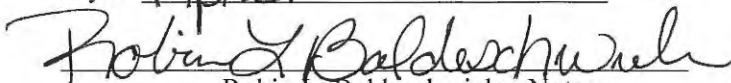
published in said Lake County, Florida each week and has been entered as second-class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither 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 April, 2024.



Robin L. Baldeschwieler, Notary

Personally Known X or

Production Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

## 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. (The first reading was held on April 25, 2024.)

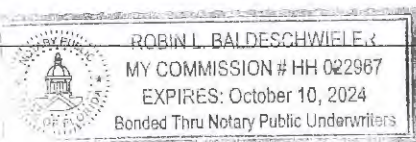
This meeting is open to the public and this ordinance will be presented for public hearing by the City of Fruitland Park City Commission at its regular meeting to be held on Thursday, May 9, 2024 at 6:00 p.m. in the commission chambers of city hall, 506 West Berckman Street, Fruitland Park, Florida 34731. 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)

#1187518

April 28, 2024



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

**ITEM TITLE:** Second Reading and Public Hearing - Ordinance 2024-005 Charter Amendment – Hiring of City Clerk and City Treasurer

**MEETING DATE:** Thursday, May 9, 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. (The first reading was held on April 25, 2024.)

**FUNDS REQUIRED:** \$97.52 (01514 30492)

**ATTACHMENTS:** Ordinance 2024-005 and affidavit.

**RECOMMENDATION:** Approve Ordinance 2024-005

**ACTION:** Enact Ordinance 2024-005 to become effective immediately as provided by law.



**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 April 25, 2024

Passed Second Reading \_\_\_\_\_

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 # **1187520** in the matter of

**NOTICE OF ORDINANCE 2024--005**

was published in said newspaper in the issues of

**APRIL 28, 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 April 2024.

  
Robin L. Baldeschwieler, Notary

Personally Known X or

Production Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

**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. (The first reading was held on April 25, 2024.)

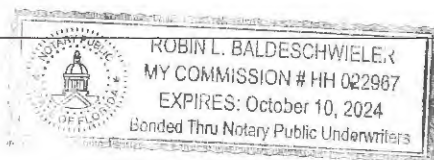
This meeting is open to the public and this ordinance will be presented for public hearing by the City of Fruitland Park City Commission at its regular meeting to be held on Thursday, May 9, 2024 at 6:00 p.m. in the commission chambers of city hall, 506 West Berckman Street, Fruitland Park, Florida 34731. 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)

#1187520

April 28, 2024



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

**ITEM TITLE:** Second Reading and Public Hearing - Ordinance 2024-006  
Charter Amendment – Planning and Zoning Board

**MEETING DATE:** Thursday, May 9, 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. (The second reading was held on April 25, 2024.)

**FUNDS REQUIRED:** \$96.46 (01514 30492)

**ATTACHMENTS:** Ordinance 2024-006 and affidavit.

**RECOMMENDATION:** Approve Ordinance 2024-006

**ACTION:** Enact Ordinance 2024-006 to become effective immediately as provided by law.

**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 April 25, 2024

Passed Second Reading \_\_\_\_\_

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 # **1187522** in the matter of

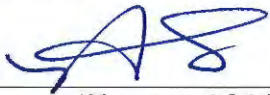
**NOTICE OF ORDINANCE 2024--006**

was published in said newspaper in the issues of

**APRIL 28, 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

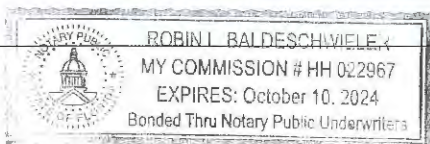
day of April 2024.

  
Robin L. Baldeschwieler, Notary

Personally Known X or

Production Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



**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. (The first reading was held on April 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, May 9, 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)

#1187522

April 28, 2024

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

**ITEM TITLE:** Second Reading and Public Hearing - Ordinance 2024-007  
Charter Amendment – Adoption by Resolution of Standard  
Code of Technical Regulations

**MEETING DATE:** Thursday, May 9, 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. (The first reading was held on April 25, 2024.)

**FUNDS REQUIRED:** \$97.52 (01514 30492)

**ATTACHMENTS:** Ordinance 2024-007 and affidavit.

**RECOMMENDATION:** Approve Ordinance 2024-007

**ACTION:** Enact Ordinance 2024-007 to become effective immediately as provided by law.

**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 April 25, 2024

Passed Second Reading \_\_\_\_\_



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

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**NOTICE OF ORDINANCE 2024--007**

was published in said newspaper in the issues of

**APRIL 28, 2024**

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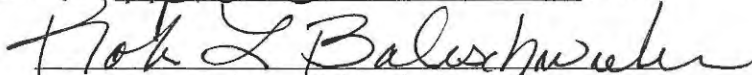
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(Signature Of Affiant)

Sworn to and subscribed before me this 30

day of April 2024.

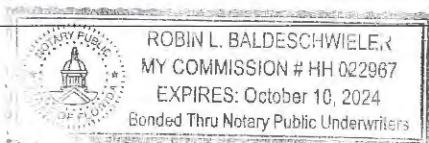


Robin L. Baldeschwieler, Notary

Personally Known X or

Production Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_



**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. (The first reading was held on April 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, May 9, 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.

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#1187524

April 28, 2024

**CITY OF FRUITLAND PARK  
AGENDA ITEM SUMMARY SHEET  
Item Number: 7a**

**ITEM TITLE:** CITY MANAGER’S REPORT

**MEETING DATE:** Thursday, May 9, 2024

**DATE SUBMITTED:** Thursday, May 2, 2024

**SUBMITTED BY:** City Manager

**BRIEF NARRATIVE:** City Manager’s Report

- i. Economic Development Status Update**
- ii. Commercial Developments Permits Issued Status Update**
- iii. Christmas Tree Decoration- City Hall**

The city has a Christmas tree budgeted for \$15,000 (01519-30520). The additional can come out of the same line item. Spending will be adjusted on other items to cover the difference. The quote received is \$21,843. This will include the purchase of a 22’ panel tree, pickup, delivery and white glove storage to include insurance and maintenance of tree (such as replacement of bulbs and lights as needed). A separate line item will be added each year for \$2,275 to cover those additional items.

**FUNDS BUDGETED:** None

**ATTACHMENTS:** Christmas tree quote

**RECOMMENDATION:** Staff is recommending approval to purchase a Christmas tree for city hall.

**ACTION:** None





Company Address PO Box 4365  
Bethlehem, Pennsylvania 18018  
United States

Created Date 2/28/2024  
Expiration Date 4/30/2024  
Quote Number 00017118

Prepared By Shannon Magee  
Email smagee@holidayoutdoordecor.com

Bill to Phone 352-516-9149  
Email myoder@fruitlandpark.org

Account Name Fruitland Park, City Of  
Bill To Name MICHELLE YODER  
Bill To ACCOUNTS PAYABLE  
506 W BERCKMAN ST  
Fruitland Park, Florida 34731  
United States

Ship To Name MICHELLE YODER  
Ship To Phone 352-516-9149  
Ship To ACCOUNTS PAYABLE  
506 W BERCKMAN ST  
FRUITLAND PARK, Florida 34731  
United States

Product Code	Product	Product Line Description	Line Item Description	Price	Quantity	Total Price
T-22P-MC	22' Panel Tree Multiple Color LED	22' PANEL TREE WITH 12' BASE. MULTICOLOR C7, LED		\$12,708.50	1.00	\$12,708.50
TT-4-3DNS-CW	4' Sil 3D Nativity Star Tree Topper w/ C7 Lamps in Cool White LED	4' Sil 3D Nativity Star Tree Topper w/ C7 Lamps in Cool White LED		\$724.50	1.00	\$724.50
TO-26P-HC	Ornament Package for 26' Panel Tree, Holiday Classic Colors	Includes: Red, Green and Gold Ornaments in finishes Shiny, Glitter and Matte, sizes 4", 6" & 8". Total 652		\$4,635.00	1.00	\$4,635.00
Storage	White Glove – Storage	Storage, Insurance & Maintenance	STORAGE/ INSURANCE AND MAINTENANCE	\$1,525.00	1.00	\$1,525.00
DELIVERY	DELIVERY FEE		DELIVER TREE BEFORE SEASON AND PICK UP TREE AT END OF	\$750.00	1.00	\$750.00

Account Terms DUE UPON RECEIPT

**QUOTE ACCEPTANCE INFORMATION**

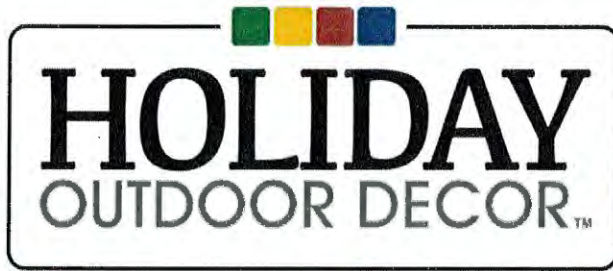
- 15% Restocking fee on all returns
- No returns without proper authorization
- Custom Items are NOT returnable
- After Account Terms due date, a monthly interest charge of 1.5% will be added on past due accounts (18% APR)

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

• Please refer to our Terms and Conditions, [here](https://holidayoutdoordecor.com/terms-conditions/) or at <https://holidayoutdoordecor.com/terms-conditions/>



SHIPPING		SEASON			
SHIPPING	SHIPPING		\$1,500.00	1.00	\$1,500.00

- Applicable Sales Tax will be added to Final Invoice
- All shipping is estimated at time of order. Actual shipping costs may vary.

Subtotal	\$21,843.00
Total Price	\$21,843.00
Grand Total	\$21,843.00

Account Terms    DUE UPON RECEIPT

- 15% Restocking fee on all returns
- No returns without proper authorization
- Custom Items are NOT returnable
- After Account Terms due date, a monthly interest charge of 1.5% will be added on past due accounts (18% APR)

**QUOTE ACCEPTANCE INFORMATION**

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

• Please refer to our Terms and Conditions, [here](https://holidayoutdoordecor.com/terms-conditions/) or at <https://holidayoutdoordecor.com/terms-conditions/>

**CITY OF FRUITLAND PARK  
AGENDA ITEM SUMMARY SHEET  
Item Number: 9**

**ITEM TITLE:** Public Comments

**MEETING DATE:** Thursday, May 9, 2024

**DATE SUBMITTED:** Thursday, May 2, 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