



**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

January 26, 2017 (Revised – 3:00 p.m.)

City Hall Commission Chambers

506 W. Berckman Street

Fruitland Park, FL 34731

6:00 p.m.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation – Reverend Chuck Padgett, Trinity Assembly of God

Pledge of Allegiance - Police Chief Michael A. Fewless

2. ROLL CALL

3. CONSENT AGENDA

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

Approval of Minutes – January 12, 2017 (city clerk) (revised)

4. LOCAL PLANNING AGENCY Recess 6:00 p.m. or Thereafter (revised)

5. REGULAR AGENDA

(a) Website Design (city clerk)

Consider staff's recommendation to select from proposals to design, develop and implement the City of Fruitland Park's website from aHa Consulting (a Municode Company currently contracting with the city) for \$6,000 plus \$1,200 a year and CivicPlus (piggyback contract) for \$24,730, excluding annual service fees at \$5,184.

(b) Auditing Services

i. Award – RFP Auditing Services (city treasurer)

Motion to accept the Audit Committee's recommendations to award the Request for Proposals for Auditing Services to McDirmit Davis, CPA, as the highest-ranked qualified firm.

ii. Resolution 2017-009 – Auditing Services - McDirmit Davis Agreement (city treasurer/city attorney)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE AGREEMENT MCDIRMIT DAVIS AND THE CITY OF FRUITLAND PARK, FLORIDA TO PROVIDE

AUDITING SERVICES; PROVIDING FOR AN
EFFECTIVE DATE.

- (c) **Credit Card Vendor - Online Payment System** (city treasurer)
Motion to select and approve a credit card vendor.
- (d) **Infinity Fitness** (city manager/city attorney)
Discussion on a proposed agreement from Infinity Fitness and Spa Inc. to provide corporate fitness memberships to city employees.
- (e) **Fruitland Park Public Library – Roofing** (city manager/public works director)
Consider staff's recommendation of approval to select from three proposals the removal and installation of a roof on the building of the Fruitland Park Library from: Eustis Roofing Company for \$27,000; McHale Roofing Inc. for \$22,175, and Dan Shepler Roofing for \$21,757.
- (f) **First Reading – Ordinance 2017-011 – Local Truck Traffic Movement Regulations** (city manager/police chief/city attorney) (revised)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONTROLLING AND REGULATING TRAFFIC MOVEMENT BY DESIGNATING CERTAIN STREETS TO ONLY ALLOW LOCAL TRUCK TRAFFIC AND NOT THROUGH TRUCK TRAFFIC, SPECIFICALLY HICKORY AVENUE, MAPLE STREET, ~~OAK STREET~~ AND ELM AVENUE; PROVIDING FOR DIRECTIONS AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT HEREIN; SETTING AN EFFECTIVE DATE. (The second reading will be on February 9, 2017.)
- (g) **First Reading – Ordinance 2017-012 –Traffic Yield Sign** (city manager/police chief/city attorney)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONTROLLING AND REGULATING TRAFFIC MOVEMENT BY INSTALLING A YIELD SIGN ON BIDWELL STREET TO REQUIRE TRAFFIC ON BIDWELL STREET TO YIELD TO TRAFFIC ON WILLARD AVENUE; PROVIDING FOR DIRECTIONS AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT HEREIN; SETTING AN EFFECTIVE DATE. (The second reading will be on February 9, 2017.)

QUASI-JUDICIAL PUBLIC HEARING

- (h) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-006 - Comprehensive Plan – Petitioner: Gamble Family Revocable Trust** (city manager /community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 0.31+ ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

- (i) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-007 – Rezoning - Petitioner: Gamble Family Revocable Trust** (city manager /community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.31 ± ACRES OF THE PROPERTY FROM LAKE COUNTY MIXED RESIDENTIAL DISTRICT (R-7) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

- (j) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-005 – Boundary Amendment - Petitioner: Gamble Family Revocable Trust** (city manager /community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 0.31 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA;

PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

(k) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-010 – Comprehensive Plan Amendment – Petitioner: Humble Investments Inc. (city manager /community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 0.37+ ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

(l) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-008 – Rezoning – Petitioner: Humble Investments Inc. (city manager /community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.37 ± ACRES OF THE PROPERTY FROM LAKE COUNTY MIXED RESIDENTIAL DISTRICT (R-7) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

(m) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-009 – - Petitioner: Humble Investments Inc. – Boundary Amendment (city manager /community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 0.37 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF

THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

- (n) **Second Reading and Public Hearing – Quasi-Judicial Public Hearing - Ordinance 2017-002 – Boundary Amendment – CR 466A and E Lake Josephine Drive – Petitioner: SEMS Property Owners LLC** (community development director/city attorney) (revised)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 0.33 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on January 12, 2017.)

- (o) **Second Reading and Public Hearing – Quasi-Judicial Public Hearing - Ordinance 2017-003 – Comprehensive Plan Amendment - 0.33± Acres – Urban Low to Commercial - Petitioner: SEMS Property Owners LLC** (community development director/city attorney) (revised)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.33 ± ACRES OF THE PROPERTY FROM LAKE COUNTY MIXED RESIDENTIAL DISTRICT (R-7) TO NEIGHBORHOOD COMMERCIAL (C-1) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on January 12, 2017.)

- (p) **Second Reading and Public Hearing – Quasi-Judicial Public Hearing - Ordinance 2017-004 – Rezoning– R-7-C-1- Petitioner: SEMS Property Owners LLC** (community development director/city attorney) (revised)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.33 ± ACRES OF THE PROPERTY FROM LAKE COUNTY MIXED RESIDENTIAL DISTRICT (R-7) TO NEIGHBORHOOD

COMMERCIAL (C-1) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on January 12, 2017.)

END OF QUASI-JUDICIAL PUBLIC HEARING

PUBLIC HEARING

(q) Public Hearing - Resolution 2017-007 – Setback Buffer Standards – N CR 466A and W Rose Street – Petitioner: Sunshine Properties & Rentals Inc.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATION (LDR) REQUIREMENTS PERTAINING TO SETBACK AND BUFFER STANDARDS FROM 15’ TO 10’, ON THE SUBJECT PROPERTY LOCATED NORTH OF CR 466A AND WEST OF ROSE STREET AND OWNED BY SUNSHINE PROPERTIES & RENTALS, INC., PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

(r) Public Hearing - Resolution 2017-008 – Setback Buffer Standards – N CR 466A and E Micro Racetrack Road – Petitioner: Carrie Ross Blevins

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATION (LDR) REQUIREMENTS PERTAINING TO SETBACK AND BUFFER STANDARDS, USES WITHIN A BUFFER AND NUMBER OF UNINTERRUPTED PARKING SPACES ON THE SUBJECT PROPERTY LOCATED NORTH OF CR 466A AND EAST OF MICRO RACETRACK ROAD AND OWNED BY CARRIE ROSS BLEVINS, PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

END OF PUBLIC HEARING

6. NEW BUSINESS

7. PUBLIC COMMENTS

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

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park’s Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the City Commission. Accordingly, comments, questions, and concerns

regarding items listed on this agenda shall be received at the time the City Commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

8. OFFICERS' REPORTS

(a) City Manager

i. Public Works Building

ii. Community Development Department Director

(b) City Attorney

i. Fire Assessment Adoption Proposed Schedule

ii. International Property Maintenance Code (Ordinance 2011-001)

9. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

(b) Commissioner Lewis

(c) Commissioner Bell

(d) Vice Mayor Gunter, Jr.

10. MAYOR'S COMMENTS

11. ADJOURNMENT

DATES TO REMEMBER

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

January 27, 2017 – Movie on the Lawn *Stork*, City Hall at 6:00 p.m.

February 9, 2017 – Regular Commission Meeting at 6:00 p.m.

February 11, 2017 – *Love Week 5k* City Hall at 8:00 a.m.

February 22, 2017, Lake~Sumter MPO Governing Board Meeting , 1616 S 14 Street, Leesburg, FL 34748 at 2:00 p.m.

February 23, 2017 - Regular Commission Meeting at 6:00 p.m.

February 27, 2017, Movie on the Lawn, City Hall - Food Truck at 5:00 p.m. and Movie at 6:00 p.m.

March 9, 2017 – Regular Commission Meeting at 6:00 p.m.

March 18, 2017 – *Fruitland Park Beautification Day* City Hall at 10:00 a.m.

March 23, 2017 - Regular Commission Meeting at 6:00 p.m.

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

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

PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.



AGENDA ITEM NUMBER 3

AGENDA ITEM SUMMARY SHEET (REVISED)

ITEM TITLE:	City Commission Draft Minutes		
For the Meeting of:	January 26, 2017		
Submitted by:	City Clerk		
Date Submitted:	January 20, 2017		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Attached		
Description of Item: Consideration and approval of the January 12, 2017 meeting minutes.			
Action to be Taken: Approve as submitted.			
Staff's Recommendation: Approval, if there are no amendments or corrections by the city commission.			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the consent agenda: _____
Mayor

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
January 12, 2017**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 12, 2017 at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Bell, Ray Lewis, and Rick Ranize.

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver, City Treasurer; Jeannine Michaud-Racine; Police Chief Michael A. Fewless; Interim Fire Chief Don Gilpin; Lieutenant Tim Yoder, Firefighters Chris Lewis, Tyler Cassidy, Madison Leary, Andrew Hall, and Sean Parker, Fire Department; Community Development Director Charlie Rector, Public Works Director Dale Bogle; JoAnn Glendinning, Fruitland Park Library Director, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

After Reverend Daryl Allen, Community United Methodist Church, gave the invocation and Police Chief Fewless led in the Pledge of Allegiance to the flag, Mayor Cheshire called the meeting to order.

2. ROLL CALL

At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was declared present.

3. CONSENT AGENDA

December 8, 2016 Minutes (a); Resolution 2017-002 Poinsettia Avenue (b); Resolution 2017-003 Gardenia Park (c), and Resolution 2017-005 P&Z Appointment T. Bradley

By unanimous consent and upon Commissioner Ranize' request, the city commission withdrew from this day's consent agenda, its consideration of Item 3.(b) for discussion.

On motion of Commissioner Ranize, seconded by Commissioner Lewis and unanimously carried, the city commission took action on the following consent agenda items:

- (a) Approved the December 8, 2016 regular meeting minutes as submitted;**
- (c) Adopted Resolution 2017-003 of the City Commission of the City of Fruitland Park, Florida, adopting dep agreement no. A17044 and agreement no. A17060 between the State of Florida Department of Environmental Protection and the City of Fruitland Park, Florida to provide financial assistance for Gardenia Park, Phase I and Phase II and providing for an effective date, and**

- (d) **Adopted Resolution 2017-005 of the City Commission of the City of Fruitland Park, Florida, appointing a member, T. Bradley, to the City of Fruitland Park Planning and Zoning Board; providing the term expiration date; and providing for an effective date.**

(b) **Resolution 2017-002 – Poinsettia Avenue ILA**

The city commission considered its action to adopt Resolution 2017-002 of the City Commission of the City of Fruitland Park, Florida, adopting the interlocal agreement between the City of Fruitland Park, Florida and Lake County relating to Poinsettia Avenue and providing for an effective date.

Commissioner Ranize noted the city's responsibility, upon the completion of roadway improvements along Poinsettia Avenue (CR 6006), to maintain said roadway and the remaining roadway would be rebuilt; voiced concerns on the condition of the "s-turn" north (west side curvature of the roadway approximately the first 100 to 150 yards) towards the stop sign on Spring Lake Road.

After much discussion, and in response, Mr. Rector that he would find out from Booth Ern Straughan and Hiott, engineers retained by the city, as whether the subject issue could be rectified.

A motion was made by Commissioner Ranize and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2017-002 as previously cited.

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

4. LOCAL PLANNING AGENCY Recess 7:00 p.m. or Thereafter

Mr. La Venia announced that as the Local Planning Agency meeting was advertised at 7:00 p.m. prior to the city commission meetings approved time change of its meetings at 6:00 p.m., the remaining items will be dealt with the exception of Quasi-Judicial Items 5.(i), (j), and (k) until 7:00 p.m.

By unanimous consent, the city commission took the following items out of order on this evening's agenda.

5. REGULAR AGENDA

(a) **Emergency Reporting Software – Fire Department**

The city commission considered its action to approve an emergency reporting records management system for fire and emergency medical services quotation for \$3,006.90. (Said item was not supplanted as a line item in the FY 2016-17 budget.)

Interim Fire Chief Gilpin relayed staff's request to transfer funds from the fire refund fee to the general budget to upgrade its current software program to a web-based reporting records management system, including payment of setup fees, and

explained that current upgrades to the existing software is no longer supported or updated. He gave a brief synopsis of the system's features which allows for additional computer space; connect with other Lake County and other fire department's reports; work with the public works department on flow testing, and helps the fire department with its Insurance Service Office rating.

After much discussion, Vice Mayor Gunter suggested that the city commission postpone its action on this day's agenda until the outcome of the Fire Services Advisory Committee's findings on the provision of fire services.

A motion was made by Vice Mayor Gunter and seconded by Commissioner Bell that the city commission postpone its action to approve an emergency reporting records management system for fire and emergency medical services as previously cited.

Mayor Cheshire called for a roll call vote with the city commission members voting as follows:

Vice Mayor Gutner	Yes
Commissioner Bell	Yes
Commissioner Lewis	Yes
Commissioner Ranize	No
Mayor Cheshire	Yes

The motion was declared carried on a four to one (4-1) vote

(b) Resolution 2017-004 – Budget Amendment BT2017-002 – FY 2016-17 – Emergency Reporting Software

After discussion and on motion of Vice Mayor Gunter and seconded by Commissioner Bell that the city commission postpone its action to adopt Resolution 2017-004.

Mayor Cheshire called for a roll call vote with the city commission members voting as follows:

Commissioner Ranize	No
Commissioner Bell	Yes
Commissioner Lewis	Yes
Vice Mayor Gutner	Yes
Mayor Cheshire	Yes

The motion was declared carried on a four to one (4-1) vote

(c) **Resolution 2017-001 - Non-Ad Valorem Assessment - Property Appraiser – Agreement**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2017-001, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE AGREEMENT BETWEEN CAREY BAKER, LAKE COUNTY PROPERTY APPRAISER AND THE CITY OF FRUITLAND PARK, FLORIDA FOR NON-AD VALOREM ASSESSMENTS ON TRIM NOTICE; PROVIDING FOR AN EFFECTIVE DATE.

After further discussion, **a motion was made by Vice Mayor Gunter that the city commission adopt Resolution 2017-001 as previously cited.**

Following Ms. Geraci-Carver's explanation of the estimated millage rate and the assessment process, she explained that she will review and provide more information on the assessment for The Villages and the City of Fruitland Park.

Commissioner Lewis seconded the motion.

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

(d) **Payment for CRA - FY 2016-17 Tax**

After discussion, **a motion was made by Commissioner Bell and seconded by Commissioner Ranize that the city commission approve payment from the general fund to the redevelopment fund for redevelopment taxes for FY 2016-17.** (Tax calculations are based on increase in property value over the base year 1994 divided by 1,000 (\$23,736) times the millage (3.9863), times 95% with a total of \$89,888).

After discussion, **Mayor Cheshire called for a vote on the motion and declared it carried unanimously.**

(e) **2017 Priorities – Discussion**

Mr. La Venia outlined the following 2017 priorities to which the Mayor Cheshire addressed the possibility of holding workshops in that regard:

- **Water and Wastewater Treatment Plant Connection Lines** - are imminent and staff is waiting for permits from Lake County.
- **Soccer Field** - February 1, 2017 is the date to start working on its construction.
- **Fruitland Park Library** - received information earlier this day from the Florida Department of State, Division of Historical Resources, State Historic

Preservation Officer regarding the casino community center building and the construction of the new library whereby staff is ready to proceed.

- **Website** - the need to work towards a current interactive website for the city allowing departments to have the ability in uploading and disseminating up-to-date information beneficial to users including those on social media to which Mayor Cheshire suggested placing same as an agenda item for the next meeting.
- **Parks and Recreation**- the city commission's position whereby staff is continuing, on a regular basis, to make improvements to the city's parks.
- **CDBG** – the need for direction as to whether staff ought to pursue -- within two months notifying Mr. Fred D. Fox, Fox Enterprises Inc., grant writer retained by the city – applying for FY 2017 or FY 2018 Community Development Block Grant (CDBG) Cycle recognizing the city's limitations in infrastructure improvements in areas where residents meet the household income eligibility threshold requirements.

After much discussion, the city commission requested that staff report back to the city commission with a proposal analyzing and identifying the areas in the city that meet the income eligibility, criteria, and requirements before deciding.

At Mayor Cheshire's request, the elected officials addressed the need to review the following:

- **Commissioner Bell**
Roadway Improvements - for CR 466A and the intersection of Dixie Road and Berckman Street
Brownfields Redevelopment Program - recognizing the issue of the old mercury thermometer incinerator plant in the city for economic development and the invitation during summer 2017 for a representative from the State of Florida Department of Environmental Protection to appear before the city commission to address the existing opportunities available for Brownfields site rehabilitation.
- **Vice Mayor Gunter**
Water and Wastewater Treatment Plant Connection Lines - including the Fruitland Park Library, fire department; and utilities, and the pursuit of wastewater construction grants.

Florida Department of Transportation Landscaping Grant – relaying the previous request to staff to pursue the Florida's Highway Beautification Council Grant for landscaping on US Highway 441 and after reference was made this day's article featured in The Daily Commercial entitled *Leesburg to Begin Work This Summer on Gateway Project* noting FDOT's award of

\$250,000 to help fund landscaping improvements at US Highway 27 and US Highway 441 Triangle.

Following extensive deliberations and later in the meeting, Mr. Bogle addressed his plans to work on the medians.

- **Commissioner Ranize**

Street Lights - Berckman Street and College Avenue – recalling the city’s expenditure 000 in community redevelopment agency funds of \$700,000 and the previous request for one of the street lights to be repaired which has not yet been carried out.

Parks and Recreation – addressing the need for the city parks to be renovated.

Building Maintenance – referencing the need to repair the window seals and the requirement for emergency generators in the event of an emergency and refurbishing carpets and the painting of city hall.

Public Works Maintenance Facility- noting the preference for it to be away from the city center and leave one building at the existing location to which Mr. La Venia distributed the list of capital improvement projects which was filed with the supplemental papers to the minutes of this meeting.

Public Works Building

After discussion, **the city commission, by unanimous consent accepted the city manager’s recommendation authorizing staff to proceed to commence architectural work on the public works building with Senatore Inc. after the architectural design on the construction of the Fruitland Park Library project is complete and identify the funding source to implement the building maintenance issues as previously outlined during the FY 2016-2017 budget process.**

Additional Staff – in the FY 2017-18 budget is required which staff ought to work towards.

- **Commissioner Lewis**

Personal Goal - addressed his goal to ask the right question, create a narrative, and be informed of decisions made.

Project Tracker - suggested the creation of a physical visual in the chambers or electronically on tracking and updated status reports of city projects with timelines available to the city commission and the public.

Social Media - as means to provide information and communicate directly with the public on current events.

Code Enforcement – noted several eyesores in the city; the negatives with the effort to introduce corridors with businesses which will hinder the city in the future, and recognized the proactive code enforcement currently retained by the city.

One Cent Sales Tax - initiative from Lake County which he supports which would take care of CR 466A Roadway improvements.

- **Mayor**
Website – as a priority.

The Villages – consideration on the city’s responsibility recognizing the 20 miles of roadway and the establishment of sinking funds to which Mr. La Venia voiced in concurrence which are current discussions as part of FY’s 2017-18 budget.

CDBG Grants – earmarked for parks and recreation department’s repair of its parks and upkeep of the soccer field and the public works safety and for staff to report back to the city commission on same earmarked for the FY 2017-18 budget.

CR 466A Roadway Improvements – after stressing the importance, Mr. La Venia referred to his December 28, 2016 letter to the Lake County Board of County Commissioners regarding the importance of phase III of the CR 466A widening project and the need for leveraging funds to complete same if funds are not forthcoming from the state; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Ongoing City Projects – in concurring with Commissioners Ranize and Lewis’ remarks, the need to provide direction on the aforementioned projects to staff.

By unanimous consent, Mayor Cheshire recessed the meeting at 7:00 p.m. to the Local Planning Agency meeting and reconvened at 7:11 p.m.

PUBLIC HEARING

By unanimous consent, Mayor Cheshire opened the public hearings at this evening’s meeting.

- (f) **Second Reading and Public Hearing – Ordinance 2016-029 Solid Waste Rates Increase**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2016-029 and after Ms. Geraci-Carver read into the record the title, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; AMENDING SECTION 99.40, IN CHAPTER 99 OF THE CODE OF ORDINANCES TO INCREASE REFUSE COLLECTION FEES BY 2% EFFECTIVE JANUARY, 2017; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 8, 2016.)

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

A motion was made by Commissioner Bell and seconded by Commissioner Lewis that the city commission enact Ordinance 2016-029 as previously cited to become effective immediately as provided by law.

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

(g) Second Reading and Public Hearing – Ordinance 2016-030 Moratorium – Marijuana Dispensaries

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2016-030 and after Ms. Geraci-Carver read into the record the title, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; ESTABLISHING A TEMPORARY MORATORIUM WITHIN THE CORPORATE LIMITS OF THE CITY OF FRUITLAND PARK PROHIBITING MEDICAL CANNABIS ACTIVITIES DURING THE MORATORIUM PERIOD; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE; AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 8, 2016.)

Ms. Geraci-Carver explained that the subject proposed ordinance's moratorium effective date would be until May 27, 2017 or earlier the city commission enacts an ordinance indicating where in the city such uses would be allowed in the zoning code, or until such time staff brings back information about its impact whereby the city commission would take action to repeal the ordinance.

Ms. Geraci-Carver indicated that the county is waiting for the state legislature's action in the 2017 legislative session and then a decision would be made.

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

A motion was made by Commissioner Ranize and seconded by Vice Mayor Gunter that the city commission enact Ordinance 2016-030 as previously cited to become effective as provided by law.

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

END OF PUBLIC HEARING

QUASI-JUDICIAL PUBLIC HEARING

(h) First Reading – Quasi-Judicial Public Hearing - Ordinance 2017-002 – Boundary Amendment

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2017-002, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 0.33 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 26, 2017.)

After Ms. Geraci-Carver swore in Mr. Rector, he described the subject location and proposed use.

After discussion, **a motion was made by Vice Mayor Gunter and seconded by Commissioner Bell that the city commission approve the LPA's recommendation of approval on Ordinance 2017-002 as previously cited.**

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

(i) **First Reading – Quasi-Judicial Public Hearing - Ordinance 2017-003 – Comprehensive Plan Amendment**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2017-003, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 0.33± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 26, 2017.)

Mr. Rector, who was previously sworn, described the subject property and its proposed use.

A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission approve the LPA's recommendation of approval on Ordinance 2017-003 as previously cited.

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

(j) **First Reading – Quasi-Judicial Public Hearing - Ordinance 2017-004 - Rezoning**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2017-004, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.33 ± ACRES OF THE PROPERTY FROM LAKE COUNTY MIXED RESIDENTIAL DISTRICT (R-7) TO NEIGHBORHOOD COMMERCIAL (C-1) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR

AN EFFECTIVE DATE. (The second reading will be held on January 26, 2017.)

A motion was made by Commissioner Lewis and seconded by Commissioner Bell that the city commission approve the LPA's recommendation of approval on Ordinance 2017-004 as previously cited.

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

END OF QUASI-JUDICIAL PUBLIC HEARING

The following item numbers should read 6 through 11.

7. NEW BUSINESS

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

8. PUBLIC COMMENTS

There were no comments from the public at this time.

9. OFFICERS' REPORTS

(a) City Manager

i. Introduction – Ms. Lori Davis, Code Enforcement Officer

After Mr. La Venia introduced Ms. Lori Davis, Code Enforcement Officer, who has been working diligently and closely with the police and community development departments who later gave a background of her experience and gave a brief statistical report of various code enforcement cases'; courtesy letters to violators and the process to start official notice of violations which she is working on.

In response to Vice Mayor Gunter's inquiry, Ms. Geraci-Carver, in noting the statutory requirements, recommended that Ms. Davis send an email to the special magistrate requesting permission to hold a hearing where she believed scheduling them once per month on such cases would be sufficient.

Mr. Rector complimented Ms. Davis' performance and the improvements she has made. He outlined the procedures involved and addressed the special magistrates' willingness in establishing hearings on Tuesdays and Thursdays, and gave an update of the code enforcement issues. He relayed the request to make him aware of any code enforcement issues not addressed in the city's ordinances, land development regulations, and the international property maintenance code in order for him to work with Mr. Greg Beliveau, LPG Urban and Regional Planner, on same. Mr. Rector explained that there are a number of outdated matters which will come before the city commission later during the year.

In responding to a question posed by Commissioner Ranize regarding the structure of the old mercury thermometer incinerator plant, Mr. Rector explained that the front brick building could be repaired, the steel building on the immediate north is in fair condition, and the remaining structure where part of it has no roof can be demolished and indicated that it is currently occupied by vagrants. He pointed out the recent letter regarding the code violations to the property owner and indicated that Ms. Geraci-Carver has provided for Ms. Davis' guidance code enforcement forms for the city's use.

After discussion, Messrs. La Venia and Rector explained that staff has been working on disseminating information to the public regarding the code enforcement officer.

ii. Casino Building Demolition Discussion

Mr. La Venia referred to the telephonic conference held on January 11, 2017 among Dr. Timothy A. Parsons, State of Florida Department of State's Division of Historical Resources, State Historic Preservation Officer; Meses. Geraci-Carver, Glendinning, Mr. Rector and himself regarding the Casino Building and pointed out his email dated January 11, 2017 outlining the synopsis of action to be taken.

After discussion and **by unanimous consent, the city commission agreed for staff to proceed with the casino demolition.**

iii. Fruitland Park Library Director

Ms. Glendinning reviewed the report outlining FY 2015-16 which she forwarded to the Florida State Division of Library Information Services a copy of which is filed with the supplemental papers to the minutes of this meeting.

iv. Fire Department Volunteers

Earlier in the meeting, Mr. La Venia stated that he has no items relating to the fire department volunteers and withdrew the item from consideration.

(b) City Attorney

Ms. Geraci-Carver referred to the update she provided in the agenda item summary sheet regarding the following individuals and email which include Mr. Anthony Mancino, Claimant.

i. Angelica Dobruck vs. City of Fruitland Park, et. al.

ii. George Fernandez v. City of Fruitland Park

iii. Notice of Claim – Anthony Mancino

iv. Notice of Claim – James Hartson

v. January 17, 2017 FSAC Meeting

Upon the request of Ms. Anita Geraci-Carver, **and by unanimous consent, the city commission excused the city attorney's absence from the January 17, 2017 Fire Services Advisory Committee meeting.**

vi. **Gamble Residential Contract (Humble Investments Inc.)**

Ms. Geraci-Carver referred to the city's residential contract for sale and purchase with Humble Investments Inc.; noted that the work is incomplete; thus, the closing date to be on January 13, 2017, and referred to the addendum to contract which received which requires execution; a copy of which filed with the supplemental papers to the minutes of this meeting.

After discussion and **on motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission approved the attorney's recommendation to extend Addendum No 2 to the residential contract for sale and purchase between Humble Investments Inc., a Florida Corporation, and the City of Fruitland Park changing closing date from January 13, to February 23, 2017.**

10. **COMMISSIONERS' COMMENTS**

(a) **Commissioner Ranize**

i. **Local Truck Traffic Movement Regulations**

Commissioner Ranize referred to the *Walking Wednesdays* the afternoon walks in Fruitland Park promoted by the police department; recognized the posted truck signs on both ends of the roadway at Hickory Avenue, Elm Avenue and Maple Street, and voiced concerns on the lack of an ordinance to support same. He addressed the problem with commercial business owners when large vehicles leave their premises and voiced the need to take action in this regard.

Commissioner Ranize recalled his previous appearance as a citizen -- before the city commission and prior to becoming an elected official -- regarding the installation of the wastewater and water treatment connection lines and his recommendation to utilize community redevelopment agency funding when roadways were being improved. Commissioner Ranize relayed the residents' concerns on the safety issue posed at that time when children walked on sidewalks to their respective bus stops.

Following further deliberations, Chief Fewless conveyed the residents' concerns on the volume of trucks in the area which he cannot enforce and recognized the high liability to the city if a child is injured as a result.

After discussion and upon Commissioner Ranize' suggestion, the city commission **by unanimous consent, directed the city**

attorney to draft an ordinance for consideration at the next meeting on local traffic movement regulations.

b. Sidewalks/Roads and Streets

In response to Commissioner Ranize' concerns regarding the need for sidewalks, Mr. La Venia referred to the public works sidewalk replacement program that was distributed at the September 8, 2016 regular meeting

**(b) Commissioner Lewis
Audit Committee – RFP Audit Services**

Since the December 8, 2016 regular meeting, Commissioner Lewis gave a report on the December 16, 2016 Audit Committee's Pre-Proposal Meeting, the January 6, 2017 Bid Opening, and the January 11, 2017 Audit Committee Meeting to rank the proposals for auditor services.

Commissioner Lewis addressed the committee's evaluation, tallying and ranking of the proposals received from Baylis & Company PA and McDirmit Davis CPA, and cited reasons why the committee recommended the selection of McDirmit Davis recognizing the late start in the auditing process.

After discussion and upon Commissioner Lewis' recommendation, **the city commission, by unanimous consent, expressed preference to enter into a contract with McDirmit Davis CPA with the direction for the city attorney to review same; provide said contract for city commission's consideration at the next meeting, and invite McDirmit Davis representatives to appear before the city commission at the January 26, 2017 regular meeting.**

(c) Commissioner Bell

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

(d) Vice Mayor Gunter, Jr.

Vice Mayor Gunter remarked that he hoped everyone had a pleasant holiday; indicated that he is looking forward to the forthcoming ongoing projects during 2017, and that he is anticipating an exciting year.

11. MAYOR'S COMMENTS

(a) Proclamation for the Record – Mayor Cheshire recognized *School Choice Week in Fruitland Park* - January 22-28, 2017 (requested by Mr. Andrew Campanella, National School Choice Week President) which was filed with the supplemental papers to the minutes of this meeting.

(b) Utility Bill Complaint

Mayor Cheshire referred to an email dated December 6, 2016 received from Mr. Sam Mastkiss regarding a utility bill that he paid through bill pay and his complaint on the city's method of grace period before determining that his payment is late.

After Ms. Michaud-Racine relayed the various available payment options offered to assist Mr. Mastkiss to submit his payment on time and in concurrence, Mayor Cheshire conveyed Mr. Mastkiss' refusal to accept same; transmitted his request for an ordinance to change the due date in order for him to pay his bill on time, and reassured him that he would present his request before the city commission.

After discussion, Mayor Cheshire acknowledged the forthcoming online payment system for utility bills and Commissioner Lewis recognized the lag time with the financial institutions' online bill payment services.

Following further discussion, Ms. Michaud-Racine explained that after the implementation of the online payment system, Mr. Mastkiss would have the ability to review his bill history and make payments on time.

(c) Dates to Remember

Mayor Cheshire noted the changes to the following dates:

- January 13, 2017 Lake County League of Cities' *Annual Organizational Meeting* at 12:00 noon;
- January 19, 2017 Regular Commission Meeting at 6:00 p.m. should read: *January 26, 2017*;
- January 23, 2017 Martin Luther King Jr. Day, City Hall Closed should read: *January 16, 2017*, and
- January 25, 2017 Lake~Sumter MPO Governing Board Meeting at 2:00 p.m.

12. ADJOURNMENT

There being no further business to come before the city commission at this time, on motion made, second and unanimously carried, the meeting adjourned at 8:11 p.m.

The minutes were approved at the January 26, 2017 regular meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Chris Cheshire, Mayor



**AGENDA ITEM
NUMBER
4**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Local Planning Agency Meeting		
For the Meeting of:	January 26, 2017		
Submitted by:	Community Development Director/City Attorney		
Date Submitted:	January 12, 2017		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	LPA Agenda (Forthcoming)		
Description of Item:			
Action to be Taken: Recess to LPA			
Staff's Recommendation:			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

AN ORDINANCE OF THE (CITY ~~OR COUNTY~~) OF Fruitland Park,
 FLORIDA, DESIGNATING AND ESTABLISHING THE City Commission
 AS ITS LOCAL PLANNING AGENCY PURSUANT TO THE LOCAL GOVERNMENT
 COMPREHENSIVE PLANNING ACT OF 1975 (Chapters 163.3161 - 163.3211,
 Florida Statutes); SETTING FORTH SAID AGENCY'S DUTIES AND RESPON-
 SIBILITIES; ESTABLISHING SAID AGENCY'S ORGANIZATION, RULES AND
 PROCEDURES; REQUIRING THAT ALL MEETINGS BE PUBLIC AND PROVIDING
 FOR THE KEEPING OF PUBLIC RECORDS; PROVIDING FOR FINANCIAL
 SUPPORT; PROVIDING FOR SEVERABILITY OF ANY PORTION DECLARED
 INVALID; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND
 PROVIDING FOR THE EFFECTIVE DATE HEREOF. *THIS IS AN EMERGENCY
 ORDINANCE EFFECTING THE WELFARE OF THE CITIZENS.*
 BE IT ORDAINED BY THE City Commission OF
 THE (CITY ~~OR COUNTY~~) OF Fruitland Park, FLORIDA:

Section 1. AUTHORITY. This ordinance is enacted pursuant to
 and in accordance with, provisions of Chapter 163, Florida
 Statutes (Local Government Comprehensive Planning Act of 1975).

Section 2. DESIGNATION AND ESTABLISHMENT OF LOCAL LAND
 PLANNING AGENCY. Pursuant to, and in accordance with, Section
 163.3174, of Florida Statutes (the Local Government Comprehen-
 sive Planning Act of 1975) the City Commission
 is hereby designated and established as the local planning
 agency for the ~~(City)~~ incorporated territory of Fruitland Park,
 Florida.

Section 3. DUTIES AND RESPONSIBILITIES OF THE LOCAL PLANNING
 AGENCY. The local planning agency, in accordance with the
 Local Government Comprehensive Planning Act of 1975, Section
 163.3161-3211, Florida Statutes, shall:

- (a) Conduct the comprehensive planning program and prepare
 the comprehensive plan or elements or portions thereof
 for the (City ~~OR COUNTY~~) of Fruitland Park;
- (b) Coordinate said comprehensive plan or elements or portions
 thereof with the comprehensive plans of other appropriate
 local governments and the State of Florida;

- (c) Recommend said comprehensive plan or elements or portions thereof to the City Commission for adoption; and
- (d) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the City Commission such changes in the comprehensive plan as may be required from time to time.

Section 4. ORGANIZATION, RULES AND PROCEDURES OF THE AGENCY.

Members of the local planning agency shall continue to be appointed and follow such rules of procedure, methods of choosing officers, setting of public meetings, providing of financial support, and accomplishing its duties as provided in The City Charter.

Section 5. PUBLIC MEETINGS AND RECORDS. All meetings of the local planning agency shall be public meetings and all agency records shall be public records. The local planning agency shall encourage public participation.

Section 6. The City Commission shall appropriate funds at its discretion to the local planning agency for expenses necessary in the conduct of its work. The local planning agency may, in order to accomplish the purposes and activities required by the Local Government Comprehensive Planning Act of 1975, expend all sums so appropriated and other sums made available for use from fees, gifts, state or federal grants, state or federal loans, and other sources; provided acceptance of loans or grants must be approved by the City Commission.

Section 6. SEVERABILITY. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by an court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not effect the validity of the remaining portions thereof.

Section 7. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS.

All ordinances and resolutions of the governing body in conflict herewith are hereby repealed.

Section 8. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption, as an emergency ordinance.

PASSED AND ADOPTED BY THE City Commission OF THE (CITY ~~OF~~) OF Fruitland Park, FLORIDA, THIS 24 DAY OF June, A.D., 1976

Jack Deulh
Mayor or Chairman

ATTEST:

Lois A. Lowery, City Clerk

FIRST READING: June 24, 1976

SECOND READING: Waived

THIRD READING: Waived



**AGENDA ITEM
NUMBER
5a**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Website Redevelopment and Redesign		
For the Meeting of:	January 26, 2017		
Submitted by:	City Clerk		
Date Submitted:	January 19, 2017		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes (Proposal Summary)		
Description of Item: The existing website.			
Background Information:			
<p>At the May 26, 2016 regular meeting, the city commission postponed its consideration of the website development proposal (piggyback contract with Lake County municipalities) from CivicPlus™ for \$34,737.</p> <p>On June 9, 2016, the city commission discussed the city departments' website needs for a website and addressed the quotation from a government website designer, aHa! Consulting Inc. (Municode's subsidiary company which has existing services and contracts with the city relating to MCC Codification and Laserfiche™ enterprise content management solution).</p>			
Action to be Taken: City commission's discretion.			
Staff's Recommendation: Approve aHa Consulting Inc.'s quotation for			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

WEBSITE REDEVELOPMENT AND REDESIGN SUMMARY PROPOSALS

Current Website	Piggyback	Subsidiary Company
<p>WordPress open-source blogging tool and content management system</p>	<p>Cloud-based government website content management system</p>	<p>Government website content management provider integrating all existing online contents (codes, meetings, agendas, online payment portals, GIS maps, bid management processes, forms, permits, applications, and calendars) into one platform.</p>
<p>Website Redesign</p> <ul style="list-style-type: none"> - Website Template - Departments' Web Pages - Archival System (agenda, minutes, requests) - Community Page - Mobile Site Integration <p>Four Social media pages (one controlled by a private/personal account)</p>	<p>Premium Modules – agenda, alert, archive centers; bid postings, blogs, business/resource directory, calendar, citizen request tracker™, community voice™, document center, facilities-reservations, form center, FAQ, job postings, news flash, notify Me™, photo gallery, quick links, real estate locator, and staff directory.</p>	<p>Website Features and Deliverables (Requirements, Design (Mobile-Friendly), Build):</p> <p>Rotating Banner Images and Headline Articles; Web Page Search (Web Pages, PDFs, and Word Docs); Social Networking Tool Integration (Facebook, Twitter); Event Calendar / Upcoming Events; Sub-calendars for boards, committees, departments; Meeting agendas and minutes with auto-archiving; Online Job Postings; Online Bid/RFP Postings; Photo Album Slideshows; Forms, Permits, Applications, Key Documents Directory; Google Maps Integration; Resource/Document Center; Image Auto-scaling and resizing; Site Metrics (Google Analytics); Content Scheduling (Publish Today, Unpublish Tomorrow); Unlimited User logins; Unlimited Content; Word-like WYSIWYG Editor; Web Page Categories - create a page once, have it show up in multiple places; RSS Feeds - Inbound and Outbound; Printer Friendly Pages; Latest News / Press Releases; Anti-spam controls; Content</p>

		<p>Versioning / Audit Trail / Revert to Previous Version; ADA / Section 508 Compliance; Email Harvesting Protection; Broken Link Finder; Sitemap; Support for Windows, Mac, Linux; Video; Client owns rights to all data;</p> <p>Browser and Mobile Device Compatibility; Department Micro-sites (sites-within-a-site); Organization/Staff Directory; Ordinances and Resolutions;</p> <p>Options Email Subscriptions; Unlimited Online Web Forms, Permits, Applications, Polls, Surveys; Emergency Alerts Ticker; City Projects Directory with interactive map; City Parks Directory with interactive map; City Services Directory; Private Staff Only Pages (Intranet); Business Directory with Interactive Maps; Custom Feature Development</p> <p>(See MCCi for Open Records Request tracking (JustFOIA).); Enterprise Content Management Software (Laserfiche™); Digital Imaging Services, and Contract Management Software with Laserfiche™ integration.)</p>
<p>Updates - Web-Based Software</p> <ul style="list-style-type: none"> - Specific Logins – Department Heads - Administration’s Limited Access Roles - Layout Design <p>Maintenance and Monthly Updating (see costs below)</p>	<p>Security - Two Options for Security Coverage (Additional Cost for DDoS Advanced Security)</p>	<p>Free site upgrades and updates (security upgrades and site monitoring and recovery)</p>
	<p>Service Support 7:00 am – 7:00 pm (CST) Monday to Friday (excluding holidays)</p>	<p>Maintenance and Customer Support 7:00 am – 5:00 pm (PAC)</p>
		<p>Project Team Qualifications</p>

Online Bill Pay Intermediary Page (Optional)		MunicodePay™ centralized payment system (low to no implementation costs); however, the free designer build software allows connection via a quick-link access to the city's existing online bill payment system.
Costs <ul style="list-style-type: none"> - Website Design and Infrastructure \$4,000.00 - Monthly Maintenance/Updating \$100.00 - Monthly Hosting and Secure Website \$100.00 	Pricing Estimate Extended to 02/28/17 with Optional Payment Plans <ul style="list-style-type: none"> - Custom Designed Website (migration, custom mobile app and three days on-site training) \$24,730.00 - Hosting, Security, and Recurring Redesign, System Updates, Enhancements, and Client Support Annual Service Fee \$5,184.00 	Pricing <ul style="list-style-type: none"> - Design, Development, and Implementation \$6,000.00 - Annual Hosting, Maintenance, and Customer Support \$1,200.00 - Additional Options <ul style="list-style-type: none"> Citizen Engagement \$600.00 pa Onsite Training \$2,000.00 City Projects with Map \$500.00 City Parks with Map \$500.00 Business Director with Map \$500.00 Intranet \$3,000.00 plus \$1,200.00 pa Custom Feature Development – fixed bid quote or \$125.00 per hour

Pricing

Design, Development, and Implementation Phase \$6,000

This includes all base features listed above -- **custom** design, build, training, page content migration, and testing. Please see www.ahaconsulting.com/features for details on any of the base and optional features described above.

Annual Hosting, Maintenance, and Customer Support \$1,200 / year

Additional Options

- Citizen Engagement Package \$600 per year
 - 3-5 Email Subscriptions
 - 3-7 Unlimited Online Web Forms, Permits, Applications, Polls, Surveys
 - 3-8 Emergency Alerts Ticker
- 5-04 Training - Onsite \$2000
- 3-15 City Projects Directory with interactive map \$500
- 3-16 City Parks Directory with interactive map \$500
- 3-48 Business Directory with Interactive Maps \$500

- 3-47 Private Staff Only Pages (Intranet) \$3,000 + \$1,200 per year
- 3-53 Custom Feature Development fixed bid quote or \$125 per hour

Payment Schedule

- Sign contract and complete website design meeting \$3000
- Complete website design, build, content migration, and basic training \$3000
- Complete training and move site to production servers \$1200



City of Fruitland Park, Florida Pricing Estimate

*Below is a pricing estimate that CivicPlus is offering to the City of Fruitland Park, Florida.
All Quotes are in US Dollars and Valid for 45 Days from October 14, 2016*

One-time Fee:

- Premium Package Website - Development of custom designed website: \$16,280
- Includes migration of all existing pages of content based off the URL: <http://www.fruitlandpark.org/>
- CivicMobile – Custom Mobile App: \$3,500
- 3 days of on-site training with CivicPlus Professional Trainer: \$4,950

Total One-time cost: **\$24,730**

Annual Service Fees:

- Annual Service Fee – Includes: Hosting, Security, Recurring redesign every 4 years, system updates, enhancements, and client support: \$3,194
- CivicMobile Annual Service Fee: \$995
- CivicSend Annual Service Fee: \$995

Total Annual Service Fees: **\$5,184**

Optional Payment Plan Options

Option 1 - CivicPlus Advantage Plan - 3 Year Payment Option

The one-time development cost of \$24,730 will be divided up over 3 years and each payment includes the annual of \$5,184 for years 1, 2, and 3.

- Year 1: \$11,699
- Year 2: \$11,699
- Year 3: \$11,699

Option 2 - CivicPlus Advantage Plan - 4 Year Payment Option

The one-time development cost of \$24,730 will be divided up over 4 years and each payment includes the annual of \$5,184 for years 1, 2, 3, and 4.

- Year 1: \$10,070
- Year 2: \$10,070
- Year 3: \$10,070
- Year 4: \$10,070

Option 3 - CivicPlus Advantage Plan - 4 Year Payment Option

The one-time development cost of \$24,730 will be divided up over 4 years and each payment includes the annual of \$5,184 for years 1, 2, 3, and 4.

- Year 1: \$5,000
- Year 2: \$11,760
- Year 3: \$11,760
- Year 4: \$11,760

Option 4 - CivicPlus Partnership Pricing (CPP), Software as a Service (SAS) Pricing Model:

Premium Website + CivicMobile + CivicSend Bundled together

Annual subscription fee of **\$7,500** and a year to year contract. You don't have a one-time development cost with this pricing option. The \$7,500 annual subscription fee includes the initial development of your Premium Package website, CivicMobile App, and CivicSend including migration of all existing pages of content, 3 days of on-site training with CivicPlus Professional Trainer, recurring redesign every 4 years, hosting, security, 24/7 client support, and ongoing system updates and enhancements.



**AGENDA ITEM
NUMBER
5bi-ii**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Selection of McDirmit Davis for Auditing Services – Resolution		
For the Meeting of:	January 26, 2017		
Submitted by:	City Treasurer		
Date Submitted:	January 18, 2017		
Are Funds Required:		Yes	<input checked="" type="checkbox"/> No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes		
<p>Description of Item: On January 11, 2017, the Audit committee evaluated and tallied proposals received from Baylis & Company PA and McDirmit Davis CPA; ranked the proposals and recommended the selection of McDirmit Davis, as the highest-ranked qualified firm. The final score sheets are attached for your review.</p> <p>The city commission, at its January 12, 2017 regular meeting requested the letter of engagement (agreement) which is attached for approval.</p>			
<p>Action to be Taken: Accept the Audit Committee’s recommendation to award the Request for Proposals for Auditing Services to McDirmit Davis, CPA, as the highest-ranked qualified firm; Adopt Resolution 2017-009 approving the agreement.</p>			
<p>Staff’s Recommendation: Approval.</p>			
<p>Additional Comments:</p>			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular Consent agenda: _____
Mayor

EVALUATION SCORE SHEET FOR AUDIT PROPOSALS

Propoal Criteria	Points	McDimit 1	McDimit 2	McDimit 3	Total
Audit Firm					
Mandatory Elements 25 points max					
The firm must be an independent certified public accounting firm and auditors must be licensed for practice in Florida	0-5	5	5	5	15
Firm's professional personnel have received adequate continuing education	0-5	5	5	5	15
The firm has no conflict of interest to any other work performed for the City	0-5	5	5	5	15
The firm most recent peer review or quality control review	0-5	5	5	5	15
Firm adheres to instruction on preparing and submitting proposal	0-5	4.5	5	5	14.5

Technical Qualifications 100 points max					
Quality of professional personnel and support personnel to be available for technical consultation. Strengths of assigned team members.	0-25	23	25	25	73
Firm's relevant experience in government engagements & Single Audits, ability to furnish the required services	0-25	23	25	25	73
Comprehensiveness of audit work: staffing, general approach, testing approach, analytical procedures, internal controls, and value added.	0-25	23	25	25	73
Clearly provides for the scope, timing, steps and resources to complete engagement. Specifies price price for the engagement. Proposed fee is reasonable based on experience, unique value and knowledge the firm brings.	0-25	25	25	23	73
		118.5	125	123	366.5

EVALUATION SCORE SHEET FOR AUDIT PROPOSALS

Propoal Criteria	Points	Baylis 1	Baylis 2	Baylis 3	Total
Audit Firm					

Mandatory Elements 25 points max					
The firm must be an independent certified public accounting firm and auditors must be licensed for practice in Florida	0-5	5	5	5	15
Firm's professional personnel have received adequate continuing education	0-5	5	5	4	14
The firm has no conflict of interest to any other work performed for the City	0-5	5	5	5	15
The firm most recent peer review or quality control review	0-5	5	5	5	15
Firm adheres to instruction on preparing and submitting proposal	0-5	3	5	4	12

Technical Qualifications 100 points max					
Quality of professional personnel and support personnel to be available for technical consultation. Strengths of assigned team members.	0-25	15	25	24	64
Firm's relevant experience in government engagements & Single Audits, ability to furnish the required services	0-25	15	25	23	63
Comprehensiveness of audit work: staffing, general approach, testing approach, analytical procedures, internal controls, and value added.	0-25	15	25	20	60
Clearly provides for the scope, timing, steps and resources to complete engagement. Specifies price price for the engagement. Proposed fee is reasonable based on experience, unique value and knowledge the firm brings.	0-25	20	25	20	65
		88	125	110	323

RESOLUTION 2017-009

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE AGREEMENT MCDIRMIT DAVIS AND THE CITY OF FRUITLAND PARK, FLORIDA TO PROVIDE AUDITING SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland in accordance with the procedures set forth in §218.391(3)(a), F.S. desires to contract with the firm of McDirmit Davis for auditing services; and

WHEREAS, the parties desire to set forth the terms and conditions of its agreement; and

WHEREAS, the City Commission of the City of Fruitland Park, Florida desires to enter into an agreement with McDirmit Davis.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The agreement between McDirmit Davis and the City of Fruitland Park, **a copy of which is attached hereto**, is approved.

Section 2. The Commission authorizes the Mayor to execute the Agreement.

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

PASSED AND RESOLVED this ____ day of _____, 2017, by the City Commission of the City of Fruitland Park, Florida.

SEAL CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA

CHRIS CHESHIRE, MAYOR

ATTEST:

ESTHER COULSON, CITY CLERK

Mayor Cheshire	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Vice Mayor Gunter	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Bell	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Lewis	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)
Commissioner Ranize	____(Yes), ____ (No), ____ (Abstained), ____ (Absent)

Approved as to form:

Anita Geraci-Carver, City Attorney

MCDIRMIT  DAVIS
CERTIFIED PUBLIC ACCOUNTANTS AND ADVISORS

January 13, 2017

City of Fruitland Park
506 W. Berckman St.
Fruitland Park, Florida 34731

The following represents our understanding of the services we will provide the *City of Fruitland Park*..

You have requested that we audit the financial statements of the governmental activities, the business-type activities, and the major funds of the *City of Fruitland Park* as of September 30, 2016, 2017, and 2018 and for the years then ended and the related notes to the financial statements, which collectively comprise the *City of Fruitland Park's* basic financial statements as listed in the table of contents. In addition, we will audit the City's compliance over major federal and state award programs, if required. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audits will be conducted with the objectives of our expressing an opinion on each opinion unit and an opinion on compliance regarding the City's major federal or state awards programs.

Accounting principles generally accepted in the United States of America require that management's discussion and analysis be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by accounting principles generally accepted in the United States of America. This RSI will be subjected to certain limited procedures but will not be audited:

- a. Management's Discussion and Analysis
- b. Supplementary Pension Schedules
- c. Supplementary OPEB Schedules

Supplementary information other than RSI will accompany *City of Fruitland Park's* basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and perform certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on the following supplementary information in relation to the financial statements as a whole:

1. Schedule of expenditures of federal and state awards
2. Individual fund statements

MCDIRMIT DAVIS & COMPANY, LLC

934 N. MAGNOLIA AVENUE, SUITE 100 ORLANDO, FLORIDA 32803

TELEPHONE: 407-843-5406 FAX: 407-649-9339 EMAIL: INFO@MCDIRMITDAVIS.COM

MEMBERS: PRIVATE COMPANIES PRACTICE SECTION AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS FLORIDA INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS

Schedule of Expenditures of Federal and State Awards

We will subject the schedule of expenditures of federal and state awards to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the schedule to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on whether the schedule of expenditures of federal and state awards is presented fairly in all material respects in relation to the financial statements as a whole.

Also, the document we submit to you will include the following other additional information that will not be subjected to the auditing procedures applied in our audit of the financial statements, and for which our auditor's report will not provide an opinion or any assurance:

1. Introductory section of the CAFR
2. Statistical section of the CAFR

Data Collection Form

Prior to the completion of our engagement, we will complete the sections of the Data Collection Form that are our responsibility. The form will summarize our audit findings, amounts and conclusions. It is management's responsibility to submit a reporting package including financial statements, schedule of expenditure of federal awards, summary schedule of prior audit findings and corrective action plan along with the Data Collection Form to the federal audit clearinghouse. The financial reporting package must be text searchable, unencrypted, and unlocked. Otherwise, the reporting package will not be accepted by the federal audit clearinghouse. We will assist you in the electronic submission and certification. You may request from us copies of our report for you to include with the reporting package submitted to pass-through entities.

The Data Collection Form is required to be submitted within the earlier of 30 days after receipt of our auditors' reports or nine months after the end of the audit period, unless specifically waived by a federal cognizant or oversight agency for audits. Data Collection Forms submitted untimely are one of the factors in assessing programs at a higher risk.

Audit of the Financial Statements

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS), the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America; and the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether the basic financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements.

An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. If appropriate, our procedures will therefore include tests of documentary evidence that support the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of cash, investments, and certain other assets and liabilities by correspondence with creditors and financial institutions. As part of our audit process, we will request written representations from your attorneys, and they may bill you for responding. At the conclusion of our audit, we will also request certain written representations from you about the financial statements and other related matters.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements or noncompliance (whether caused by errors, fraudulent financial reporting, misappropriation of assets, detected abuse, or violations of laws or governmental regulations) may not be detected exists, even though the audit is properly planned and performed in accordance with U.S. GAAS and *Government Auditing Standards* of the Comptroller General of the United States of America. Please note that the determination of abuse is subjective and *Government Auditing Standards* does not require auditors to detect abuse.

In making our risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit. Our responsibility as auditors is, of course, limited to the period covered by our audit and does not extend to any other periods.

We will issue a written report upon completion of our audit of the City of Fruitland Park's basic financial statements. Our report will be addressed to the governing body of the City. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s), or withdraw from the engagement.

In accordance with the requirements of *Government Auditing Standards*, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance over financial reporting will not be an objective of the audit and, therefore, no such opinion will be expressed.

Audit of Major Program Compliance

Our audit of the City of Fruitland Park's major federal and state award program(s) compliance will be conducted in accordance with the requirements of the Single Audit Act, as amended; and the Uniform Guidance, and will include tests of accounting records, a determination of major programs in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such an opinion on major federal and state award program compliance and to render the required reports. We cannot provide assurance that an unmodified opinion on compliance will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or withdraw from the engagement.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the entity has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major federal and state award programs. Our procedures will consist of determining major federal and state programs and performing the applicable procedures described in the U.S. Office of Management and Budget *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the entity's major programs. The purpose of those procedures will be to express an opinion on the entity's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Also, as required by the Uniform Guidance, we will perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each of the entity's major federal or state award programs. However, our tests will be less in scope than would be necessary to render an opinion on these controls and, accordingly, no opinion will be expressed in our report.

We will issue a report on compliance that will include an opinion or disclaimer of opinion regarding the entity's major federal and state award programs, and a report on internal controls over compliance that will report any significant deficiencies and material weaknesses identified; however, such report will not express an opinion on internal control.

Management Responsibilities

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
2. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements;
3. For safeguarding assets;
4. For identifying all federal awards expended during the period;
5. For preparing the schedule of expenses of federal awards (including notes and noncash assistance received) in accordance with the Uniform Guidance requirements;
6. For the design, implementation, and maintenance of internal control over compliance;
7. For identifying and ensuring that the entity complies with laws, regulations, grants, and contracts applicable to its activities and its federal award programs;
8. For following up and taking corrective action on reported audit findings from prior periods and preparing a summary schedule of prior audit findings;
9. For following up and taking corrective action on current year audit findings and preparing a corrective action plan for such findings;
10. For submitting the reporting package and data collection form to the appropriate parties;
11. For making the auditor aware of any significant vendor relationships where the vendor is responsible for program compliance;
12. To provide us with:
 - a. Access to all information of which [management] is aware that is relevant to the preparation and fair presentation of the financial statements, and relevant to federal award programs, such as records, documentation, and other matters;
 - b. Additional information that we may request from management for the purpose of the audit; and
 - c. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
13. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole; and
14. For confirming your understanding of your responsibilities as defined in this letter to us in your management representation letter.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited financial statements, or if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

Fees and Timing

Kelly Leary is the engagement partner for the audit services specified in this letter. Her responsibilities include supervising McDirmit Davis & Company, LLC's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

The timing of our audit for all of the years except September 30, 2016 will follow the schedule outlined in the RFP including presentation of the audit to the City Commission by the 2nd meeting in March. Our RFP response is incorporated here in and is attached as Exhibit A. However, the schedule for the audit of the year ended September 30, 2016 will depend upon when the audit can be started, however will not exceed three (3) months from the start date of the audit. Since the City of Fruitland Park does not plan to submit the 2016 CAFR for the GFOA "Certificate of Achievement for Excellence in Financial Reporting" Award, the March deadline is not applicable.

Our fees for these services will be at our standard hourly rate except that we agree that our gross fee will not exceed the following:

<u>Fiscal Year</u>	<u>Financial Audit</u>	<u>Single Audit (If Required)</u>
2016	\$23,500	\$5,000
2017	23,500	5,000
2018	23,500	5,000

If the City of Fruitland Park exercises the option to renew for the years ending on 2019, 2020, and 2021, the fees will not exceed the following:

<u>Fiscal Year</u>	<u>Financial Audit</u>	<u>Single Audit (If Required)</u>
2019	\$24,000	\$5,300
2020	24,500	5,300
2021	25,000	5,300

Other Matters

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

The audit documentation for this engagement is the property of McDirmit Davis & Company, LLC and constitutes confidential information. However, we may be requested to make certain audit documentation available to regulators and federal agencies and the U.S. Government Accountability Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of McDirmit Davis & Company, LLC's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to these agencies and regulators. The regulators and agencies may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies. We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

You agree to inform us of facts that may affect the financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

With respect to any nonattest services we perform, such as drafting financial statements, the City of Fruitland Park's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Government Auditing Standards require that we document an assessment of the skills, knowledge, and experience of management, should we participate in any form of preparation of the basic financial statements and related schedules or disclosures as these actions are considered non-audit service.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

At the conclusion of our audit engagement, we will communicate to those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

IF WE, THE CONTRACTOR, HAVE QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, WE WILL CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (352)360-6790, ecoulson@fruitlandpark.org, 506 W. Berckman Street, Fruitland Park, Florida 34731.

In accordance with the requirements of *Government Auditing Standards*, we have attached a copy of our latest external peer review report of our firm for your consideration and files.

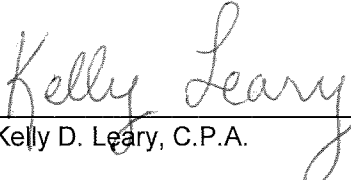
Regarding governing law/venue and jurisdiction, this Agreement shall be governed by the laws of the State of Florida without regard to conflicts of law provisions. Venue of any litigation arising out of this Agreement shall be only within any court of competent jurisdiction regularly sitting in Lake County, Florida.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Sincerely,

McDIRMIT DAVIS & COMPANY, LLC



Kelly D. Leary, C.P.A.

RESPONSE:

This letter correctly sets forth the understanding of the City of Fruitland Park.

By

Title

Date

INSURANCE BINDER

December 16, 2016

THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON THE REVERSE SIDE OF THIS FORM.

PRODUCER:	PHONE: (630) 920-0160	INSURANCE COMPANY:	BINDER #:
M.P. Caplice Insurance Group LLC 15 Spinning Wheel Road, Suite 322 Hinsdale, IL 60521	PRIMARY COMPANY: Plaza Insurance Company		APL-11816
	EXCESS COMPANY:		
	EFFECTIVE	EXPIRATION	
DATE	TIME	DATE	TIME
01/01/2017	12:01 XX AM NOON	01/01/2018	12:01 XX AM NOON
CODE:	SUB CODE:	THIS BINDER IS ISSUED TO EXTEND COVERAGE IN THE ABOVE NAMED COMPANY PER EXPIRING POLICY #:	
INSURED: McDermitt Davis & Company, LLC 934 N. Magnolia Avenue, Suite 100 Orlando, FL 32803			

TYPE OF INSURANCE	COVERAGE/FORMS	AMOUNT	LIMITS	
			DEDUCTIBLE	COINS %
PROPERTY CAUSES OF LOSS <input type="checkbox"/> BASIC <input type="checkbox"/> BROAD <input type="checkbox"/> SPEC				
GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT	RETRO DATE FOR CLAIMS MADE:	GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ PERSONAL & ADV INJURY \$ EACH OCCURRENCE \$ FIRE DAMAGE (Any one fire) \$ MED EXP (Any one person) \$		
AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		COMBINED SINGLE LIMIT \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$ MEDICAL PAYMENTS \$ PERSONAL INJURY PROT \$ UNINSURED MOTORIST \$		
AUTO PHYSICAL DAMAGE DEDUCTIBLE <input type="checkbox"/> COLLISION: _____ <input type="checkbox"/> OTHER THAN COL: _____	<input type="checkbox"/> ALL VEHICLES <input type="checkbox"/> SCHEDULED VEHICLES	<input type="checkbox"/> ACTUAL CASH VALUE <input type="checkbox"/> STATED AMOUNT \$ <input type="checkbox"/> OTHER		
GARAGE LIABILITY <input type="checkbox"/> ANY AUTO		AUTO ONLY-EA ACCIDENT \$ OTHER THAN AUTO ONLY:	EACH ACCIDENT \$ AGGREGATE \$	
EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	RETRO DATE FOR CLAIMS MADE:	EACH OCCURANCE AGGREGATE SELF-INSURED RETENTION <input type="checkbox"/> STATUTORY LIMITS		
WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY		EACH ACCIDENT \$ DISEASE-POLICY LIMIT \$ DISEASE-EACH EMPLOYEE \$		

SPECIAL CONDITIONS/ OTHER COVERAGES	Professional Liability Insurance: Limits of Liability (per claim/annual aggregate): Deductible: \$25,000.00 Excess Limits of Liability (per claim/annual aggregate):	Effective Date: January 01, 2017 \$2,000,000.00/\$2,000,000.00 Premium: \$15,583.00 \$N/A,000.00/\$N/A,000.00 Excess Premium: \$N/A
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	<input type="checkbox"/> MORTGAGEE LOSS PAYEE <input type="checkbox"/> ADDITIONAL INSURED
	LOAN # _____
	AUTHORIZED REPRESENTATIVE <div style="text-align: right; margin-top: 10px;"> </div>

NOTE: IMPORTANT STATE INFORMATION ON BACK



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
8/8/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER MSA Service Center LYKES INSURANCE INC CL SC PO Box 2006 Keene NH 03431	CONTACT NAME: LYKES INSURANCE INC CL SC PHONE (A/C, No, Ext): 866 418 7280 E-MAIL ADDRESS: servicecenter@msagroup.com FAX (A/C, No): (866) 332-4776
INSURED MCDIRMIT DAVIS & CO LLC 934 NORTH MAGNOLIA AVE STE 100 ORLANDO FL 32803	INSURER(S) AFFORDING COVERAGE INSURER A: Old Dominion Insurance Co NAIC # 40231 INSURER B: NGM Insurance Co. 14788 INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER: 16-17 Master BPG/WCG REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	<input checked="" type="checkbox"/>	BPG8006B	7/1/2016	7/1/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A	WCG8006B	7/1/2016	7/1/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER	CANCELLATION
	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Renae Mitchell/RMM <i>Renae Mitchell</i>

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AGENDA ITEM NUMBER 5c
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AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Online Payment – Elavon Credit Card Vendor		
For the Meeting of:	January 26, 2017		
Submitted by:	City Treasurer		
Date Submitted:	January 18, 2017		
Are Funds Required:		Yes	<input checked="" type="checkbox"/> No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes		
Description of Item:	<p>Staff’s recommendation is to utilize the credit card vendor – Elavon with a flat fee schedule of 2.99%. Elavon is the only company that offers a flat fee based on a flat percentage of the bill which allows customers with smaller bills to pay less in fees. Please see attached information sheet on the top two vendors. A contract is required to implement the online payment module.</p>		
Action to be Taken:	<p>Discussion: Rescind action taken on December 8, 2016 and approve credit card vendor - Elavon Flat Fee contract for 2.99%</p>		
Staff’s Recommendation:			
Additional Comments:	<p>The city commission approved, at the December 8, 2016 regular meeting, the contract with Govolution LLC.</p>		

Reviewed by: _____
City Manager

Authorized to be placed on the Regular Consent agenda: _____
Mayor

Online Payment Credit Card Vendors FINAL COMMISSION MEETING SHEET

Potential Payment Vendors - Credit Card Options

Vendor	Monthly Fees	Flat Fee per Charge	% of Charge	Per Transaction Fee	Pass Convenience Fee to Citizen?	*Customer Cost Echecks / ACH	*Customer Cost of \$50 Water Bill	*Customer Cost of \$100 Water Bill	Notes
							50	100	
1-Elavon One time set up fee of \$199. Offers 24-7 support	\$12.99 Spt \$10.00 Compliance		Assume I/C = 2%, I/C + .20%		Yes or No				The Interchange Charge (I/C) 1-3% range - average charge is I/C 2% +.20% + .05 per transaction . Payments and service fees are deposited in our bank account. Service fees are withdrawn at the end of the month.
Percentage	22.99		2.20%	0.05	Yes		1.15	2.25	
Flat Fee	30.00		2.99%	0.19	Yes	0.32	1.69	3.18	VISA only accepts flat fee passed to customer.
Amex			2.50%	0.05			1.30	2.55	
2-Govolution Online Only One time set up fee of \$250									*Customer fee: 2.75% (1.00 min) / 1.50 for Echecks *** No in person Payments Govolution will bill monthly service fees. City will retain service fee with payment. Reports will separate service fees & payments.
Percentage	25.00		2.75%		Yes	1.50	1.38	2.75	VISA will not pass on % fees to customer.
Flat Fee	25.00	2.5			Yes	2.50	2.50	2.50	VISA only accepts flat fee passed to customer.



**AGENDA ITEM
NUMBER
5d**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Discussion – Proposal - Infinity Fitness and Spa Inc.		
For the Meeting of:	January 26, 2017		
Submitted by:	City Manager		
Date Submitted:	January 19, 2017		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:			
Description of Item: Infinity Fitness and Spa Inc. proposal to provide corporate fitness memberships to city employees.			
Action to be Taken: City commission's discretion.			
Staff's Recommendation:			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor



**AGENDA ITEM
NUMBER
5e**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Fruitland Park Library – Roofing		
For the Meeting of:	January 26, 2017		
Submitted by:	Public Works Director		
Date Submitted:	January 19, 2017		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes		
Description of Item: Three proposals were received from companies to remove and install a new roof on the building of Fruitland Park’s Library.			
Action to be Taken: City commission's discretion.			
Staff’s Recommendation:			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular agenda: _____
Mayor

EUSTIS ROOFING CO.

established in 1959



15312 Old 441 Tavares, Florida 32778
 Phone: (352) 343-4240 or 343-7668
 Fax: (352) 742-1173
 email: info@eustisroofing.com
 www.eustisroofing.com
 LC # CCC1330258



Proposal Submitted To	Dale Bogle	PHONE	308-5579	DATE	1/13/2017
STREET	205 W. Berckman St.	JOB NAME	Shingles PRJ # 4360		
CITY, STATE AND ZIP CODE	Fruitland Park, FL 34731	JOB LOCATION	Fruitland Park Public Library		
ARCHITECT	DATE OF PLANS		JOB PHONE		

We hereby submit specifications and estimates for:

1. Remove the existing roof and inspect decking. Renail deck with #8 Shank nails to meet code.
2. Application of a 30#UL felt underlayment nailed with Simplex nails.
3. All perimeters, valleys and all flashings will be sealed with roof cement.
4. Installation of new 26 Ga. metal drip edge in areas without existing gutters.
5. Install new flashings as needed to make a tight and waterproof job.
6. Valleys will be enclosed with a PolySeal rubber membrane underlayment.
7. Install a Certaineed Architectural Fiberglass Algae Resistant shingle, choice of color. 130 mph wind Certaineed Limited Lifetime Manufacturer's Warranty, Certaineed Starter Shingles and Hip & Ridge Cap
8. There will be a half inch overhang of shingles around the building to prevent back drip.
9. All shingles will be installed using six nails per shingle.
10. Installation of all new gooseneck vents and lead boots with Bullet Vents & Bullet Boots (squirrel preventive).
11. Installation of (7) off-set ridge vents for roof ventilation.
12. Any rotten wood and/or faulty structural components will be replaced on a time and material basis. (\$45/hr & cost of materials)
13. Any rubbish created by the workmen will be removed from the premises. A power magnet will be dragged.
14. Eustis Roofing Co., Inc. guarantees all workmanship for five years.
15. Eustis Roofing Co., Inc. will obtain all necessary building permits.
16. After final payment a final release of lien waiver will be issued upon your request.
17. All job site crew members are directly employed by Eustis Roofing Company. No subcontracting or leased workers on job site.
18. Homeowner is responsible for repositioning of satellite/dish equipment, removal & installation of solar panels and replacement of and/or lightning protection.

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:
TWENTY-SEVEN THOUSAND DOLLARS ----- **27,000.00**

dollars (\$ _____).

Payment to be made as follows:

PAYMENT IN FULL IS DUE UPON COMPLETION OF THE JOB.

A SERVICE CHARGE OF 1.5% PER MONTH SHALL BE ASSESSED TO ALL AMOUNTS 30 DAYS OVERDUE.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Eustis Roofing Company shall be entitled to recover any and all expenses incurred in the enforcement of the terms herein whether or not formal legal action is commended, including, but not limited to, a reasonable attorney's fee and court costs. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance. I understand that by signing this agreement, I am entering into a legal and binding contract with Eustis Roofing Company.

Authorized Signature **EUSTIS ROOFING COMPANY, INC.** this proposal may be withdrawn by us if not accepted within _____ days

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

Date of Acceptance: _____

Signature _____

McHale Roofing, Inc.

Specializing In All Types of Roofing and Roofing Repairs



A+

a

Matt McHale

License # CCC1328197

2508 N. Griffin Drive
Leesburg, FL 34748

Tel: (352) 255-2758

Fax: (352) 365-6257

Email: mchale.roofing@yahoo.com

Web: www.mchaleroofing.com

January 11, 2017

City of Fruitland Park Library
205 West Berckman Street
Fruitland Park, FL 34731
Attn Dale: 352-308-5579

Via email to: dboglefruitlandpark@comcast.net

Proposal: Reroof

McHale Roofing, Inc. presents the following proposal to supply and install materials:

- Remove existing shingles and underlayment to expose bare roof deck.
- Install synthetic underlayment, mechanically attached with Simplex.
- Install Limited Lifetime CertainTeed Architectural shingles, in color of choice.
- Install new CertainTeed Hip and Ridge Cap.
- Install CertainTeed SwiftStart starter shingles. (This complete package upgrades the wind uplift warranty to 130 MPH for the duration of the SureStart period).
- Install all new lead plumbing stacks.
- Install 7 new off-ridge vents to properly ventilate the attic area.
- Install new Peel & Stick valley liner in the valley areas.

Total Price: \$22,175.00.

- Existing eave drip is a custom color. The above price includes standard-color eave trim.

Material Warranty: Limited Lifetime on Shingles.

Labor Warranty: 7 years.

We will inspect for damaged or rotted plywood and replace at an additional cost of \$65.00 per sheet. We will inspect for damaged or rotted trusses, 1 x 4 or 1 x 6 fascia, and replace at an additional \$5.00 per foot. This includes 2 x 4 or 2 x 6 fascia or trusses.

For the above price, we will remove all roofing debris, provide tarps to protect plants and grass as we tear off the old roof, and we will conduct a magnetized cleanup to ensure no nails are left behind.

McHale Roofing, Inc. understands that every project has different requirements. We will work with staff and patrons to ensure minimum disruption while the project is ongoing. The safety of the staff, patrons and our employees is of the utmost importance, and we will work around whatever schedule benefits staff and patrons. An on-site supervisor will be present from the start to the completion of the project, and McHale Roofing's owner, Matt McHale, will be on-site every day. McHale Roofing, Inc. prides itself on starting and completing one job at a time. Once started, all focus is on the current job until completed. This allows McHale Roofing's owner to be hands-on on every job, and available to answer any questions or concerns.

McHale Roofing, Inc. is a locally owned and operated roofing company that specializes in high quality work at a competitive price. We are rated A+ by the Better Business Bureau (www.bbb.org). Our reputation is important to us, and we can provide a long list of

City of Fruitland Park: Library: Reroof Estimate

January 11, 2017

Page 2

references from satisfied customers. We provide a written warranty on all repairs, reroofs or new installations that we complete. We will provide a written release of payment from our supply company to ensure that materials are fully paid for when we submit the invoice for payment.

All McHale Roofing employees are hourly employees. We do not use sub-contractors or day laborers. All employees are covered by Workers Comp. None are Workers Comp exempt.

All inspections will be carried out by Inspectors from the City of Fruitland Park, and payment will be due in full upon successful completion of a final inspection. No deposit or down payment is required until project is completed and passes final inspection.

Please call me at (352) 272-2717 if you have any questions about this proposal.

Sincerely,

Matt McHale.

Matt McHale
McHale Roofing, Inc.



306 S. Dixie Avenue · Fruitland Park, FL 34731
 Office: (352) 751-1471 · (352) 323-6010 · Fax: (352) 323-6044
 Email: dsheplerroofing@aol.com · Website: www.dansheplerroofing.com
 Licensed CCC1326616 Insured

Proposal Submitted To: A. Dale Bogle		Phone: (352) 360-6795	Date: 01/10/17
Street: 506 W. Berckman St.		Job Name: Fruitland Park Library	
City, St, Zip: Fruitland Park, FL 34731		Job Location: 205 W. Berckman St.	
Email: dboglefruitlandpark@comcast.net	Fax#: (352) 360-6793	Cell #: (352) 308-5579	

Residential <input type="checkbox"/>	PROPOSAL	Garage/Carport <input type="checkbox"/>
Mobile Home <input type="checkbox"/>		Wind Mit Report <input type="checkbox"/>
Commercial <input checked="" type="checkbox"/>		

WE HEREBY SUBMIT SPECIFICATIONS AND ESTIMATES FOR:

New Const. Re-Roof Repair Shingle Over Addition

CLEAN OUT ALL EXISTING GUTTERS AND HAUL AWAY ALL TRASH FROM TEAR OFF

Remove Roof: One Two

Install New Felt: 30# Ice & Water Synthetic Underlayment H/T

Install New Eave Metal: Yes Galvanized: Alum. Color: Size: 6"

Install New Valley Flashing: Yes Kitchen Vents Bath Vents Dryer Vents

Pipe Flashing: Yes Skylights: Type: Size:

Install New Sheeting, Bid Includes 1 Sheet (s) ----- Additional Sheeting @ \$ 55.00 Per Sheet (Labor and Material)

Install New Ridge Vent: Aluminum Shingle Over Lineal Feet: Off Ridgevent 7

Install New Shingles: Metal: Modified Bitumen Other:

Brand: CertainTeed Style: Landmark-Architectural Color:

OTHER:

Workmanship guarantee 5 years against leaks. All of the above work to be completed in an efficient and workmanlike manner in accordance with the terms and conditions on the back of this form for the sum of:

Twenty one thousand seven hundred fifty seven and 00/100 Dollars (\$ 21757.00). All agreements are

conditional upon strikes, accidents or delays beyond our control. This proposal subject to acceptance within 30 days and voided thereafter at the discretion of the undersigned. Replacement of additional decayed lumber (not noted above) shall be charged at cost plus \$25.00 per man hour. Realignment of satellite dish not included in price. This price includes all licenses, insurance, permits and taxes. **PAYMENT DUE UPON COMPLETION OF ROOF.**

Approved by City, County and State.

Submitted by: _____

We sincerely appreciate your business.

Signature of Sales Representative

ACCEPTANCE OF CONTRACT: Dan Shepler Roofing, Inc. is hereby authorized to furnish all materials and labor required to complete the work according to the terms and conditions on the back of this contract. The undersigned hereby agrees to pay the amounts itemized above.

Thank you

Signature: _____

Owner Signature



**AGENDA ITEM
NUMBER
5f**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	First Reading– Ordinance 2017-011 Local Truck Movement		
For the Meeting of:	January 26, 2017		
Submitted by:	City Manager/City Attorney		
Date Submitted:	January 16, 2017		
Are Funds Required:		Yes	<input checked="" type="checkbox"/> No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes		
Description of Item: Proposed ordinance on local truck movement regulation (Movement Regulation – Hickory Avenue, Oak Street, and Elm Avenue).			
Action to be Taken: Approve Ordinance 2017-011.			
Staff’s Recommendation: Approval.			
Additional Comments: Second reading and public hearing will be held on January 29, 2017.			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular Consent agenda: _____
Mayor

ORDINANCE 2017-011

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONTROLLING AND REGULATING TRAFFIC MOVEMENT BY DESIGNATING CERTAIN STREETS TO ONLY ALLOW LOCAL TRUCK TRAFFIC AND NOT THROUGH TRUCK TRAFFIC, SPECIFICALLY HICKORY AVENUE, OAK STREET AND ELM AVENUE; PROVIDING FOR DIRECTIONS AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT HEREIN; SETTING AN EFFECTIVE DATE.

WHEREAS, the City has original jurisdiction over all streets within its boundaries, except state or county roads; and

WHEREAS, the City is authorized by §316.002 and §316.008, *Florida Statutes* to regulate traffic by means of police officers, or official traffic control devices, designate any intersection as a stop or yield intersection, and take other actions within the reasonable exercise of their police power; and

WHEREAS, Hickory, Oak and Elm streets are a two lane municipal street within the municipal boundaries of the City of Fruitland Park; and

WHEREAS, residents and staff have requested the City Commission to designate the streets as allowing only local trucks and not allowing through truck traffic; and

WHEREAS, the Public Works Department and the Fruitland Park Police Department agree that the designation will improve driver safety and prolong the useful life of the streets; and

WHEREAS, the City Commission considered the residents' and staff's request at a duly noticed City Commission meeting; and

WHEREAS, it furthers the health, safety and welfare of the residents and visitors of the City of Fruitland Park to designate Hickory, Oak and Elm streets as allowing local truck traffic only.

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

Section 1. Recitals. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this resolution.

Section 2. Designation. The City Commission hereby designates the streets listed below within the City of Fruitland Park as only receiving local trucks and prohibiting through truck traffic: **HICKORY AVENUE, OAK STREET, AND ELM AVENUE**

Section 3. Directions. The City Manager or his designee is authorized to take all further actions necessary to carry out the intent of this ordinance. A copy of this Ordinance shall be published one time within thirty days following its adoption. The City Clerk is directed to record in the official records of Lake County a certified copy of this Ordinance along with proof of publication of the notice of its adoption.

Section 4. Enforcement. Any sworn law enforcement within the State of Florida shall be authorized to enforce this ordinance with the reasonable exercise of police power and in accordance with Florida law.

Section 5. Severability. That if any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 6: Conflict. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Effective Date. This ordinance shall be effective immediately upon adoption by the City Commission of the City of Fruitland Park.

PASSED and ORDAINED at a regular meeting of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

[SEAL]

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk
(SEAL)

Anita Geraci-Carver, City Attorney

Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____

Passed Second Reading _____



**AGENDA ITEM
NUMBER**
5g

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	First Reading– Ordinance 2017-012 Traffic Yield Sign		
For the Meeting of:	January 26, 2017		
Submitted by:	City Manager/City Attorney		
Date Submitted:	January 16, 2017		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes		
Description of Item: Proposed ordinance traffic yield sign.			
Action to be Taken: Approve Ordinance 2017-012.			
Staff's Recommendation: Approval.			
Additional Comments: Second reading and public hearing will be held on January 29, 2017.			

Reviewed by: _____
City Manager

Authorized to be placed on the Regular Consent agenda: _____
Mayor

ORDINANCE 2017-012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONTROLLING AND REGULATING TRAFFIC MOVEMENT BY INSTALLING A YIELD SIGN ON BIDWELL STREET TO REQUIRE TRAFFIC ON BIDWELL STREET TO YIELD TO TRAFFIC ON WILLARD AVENUE; PROVIDING FOR DIRECTIONS AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT HEREIN; SETTING AN EFFECTIVE DATE.

WHEREAS, the City has original jurisdiction over all streets within its boundaries, except state or county roads; and

WHEREAS, the City is authorized by §316.002 and §316.008, *Florida Statutes* to regulate traffic by means of police officers, or official traffic control devices, designate any intersection as a stop or yield intersection, and take other actions within the reasonable exercise of their police power; and

WHEREAS, Willard Avenue and Bidwell Streets are each a two lane municipal street within the municipal boundaries of the City of Fruitland Park; and

WHEREAS, the Public Works Department and Fruitland Park Police Department believe that requiring traffic on Bidwell Street to yield to traffic on Willard Avenue will greatly improve driver safety; and

WHEREAS, the City Commission considered the staff's request at a duly noticed City Commission meeting; and

WHEREAS, it furthers the health, safety and welfare of the residents and visitors of the City of Fruitland Park to require traffic on Bidwell Street to yield to traffic on Willard Avenue.

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

Section 1. Recitals. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this resolution.

Section 2. Designation. The City Commission hereby declares that traffic on Bidwell Street shall yield to traffic on Willard Avenue.

Section 3. Directions. The City Manager or his designee is authorized to take all further actions necessary to carry out the intent of this ordinance. A copy of this Ordinance shall be published one time within thirty days following its adoption. The City Clerk is directed to record

in the official records of Lake County a certified copy of this Ordinance along with proof of publication of the notice of its adoption.

Section 4. Enforcement. Any sworn law enforcement within the State of Florida shall be authorized to enforce this ordinance with the reasonable exercise of police power and in accordance with Florida law.

Section 5. Severability. That if any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 6: Conflict. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7. Effective Date. This ordinance shall be effective immediately upon adoption by the City Commission of the City of Fruitland Park.

PASSED and ORDAINED at a regular meeting of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

[SEAL]

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk
(SEAL)

Anita Geraci-Carver, City Attorney

Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____

Passed Second Reading _____



**AGENDA ITEM
NUMBER**
5h-p

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Quasi-Judicial Public Hearings		
For the Meeting of:	January 26, 2017		
Submitted by:	City Manager/Community Development Director/City Attorney		
Date Submitted:	January 12, 2017		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes (Quasi-Judicial Procedures Resolution 2004-014)		
Description of Item:			
Action to be Taken:			
Staff's Recommendation:			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

RESOLUTION 2004-014

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA; RELATING TO QUASI-JUDICIAL HEARINGS; ESTABLISHING PROCEDURES FOR THE DISCLOSURE OF EX PARTE COMMUNICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statute 286.0115 allows municipalities to remove the presumption of prejudice attached to ex parte communications with local public officials in quasi-judicial proceedings through the adoption of a resolution or ordinance establishing a process for the disclosure of such communications; and

WHEREAS, the City Commission of the City of Fruitland Park desires to implement the provisions of F.S. 286.0115 with respect to quasi-judicial proceedings which occur before the City Commission as well as city boards and committees.

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

Section 1. The following procedures shall apply with regards to any quasi-judicial matters before the City Commission or any board or committee of the City:

**Procedures for quasi-judicial hearings;
Disclosure of ex parte communications.**

(a) *Intent.* Pursuant to Section 286.0115(1), Florida Statutes, it is the intent of the city commission that this section is intended to remove the presumption of prejudice from *ex parte* communications with city officials and to permit, among other things, site visits, the receipt of expert opinion, and the review of mail and other correspondence relating to quasi-judicial proceedings by said city officials. .

(b) *Definitions.* As used in this section, the following terms shall be defined as follows:

- (1) "City official" means and refers to any elected or appointed public official holding a municipal position or office who recommends or takes quasi-judicial action as a member of a city board, commission, or committee, including, but not limited to, a member of the city commission, the code enforcement board, the planning and zoning board, or the local planning agency.
- (2) "*Ex parte* communication" means a communication involving a city official and a member of the public, regarding a pending quasi-judicial action, such that the city official may be exposed to only one perspective

or part of the evidence with regard to a quasi-judicial action pending before the commission or board on which the city official serves. *Ex parte* communications occur at other than a public meeting of the board on which the city official serves at which the quasi-judicial action discussed has been publicly noticed.

- (3) "Member of the public" refers to any person interested in a quasi-judicial action, including, but not limited to, an applicant, an officer or member of a homeowner's association, an officer or member of an environmental, homebuilding/development, or concerned citizen's organization, an official or employee of a governmental entity other than the City, a developer, a property owner, or an interested citizen, or a representative of or attorney for any of the foregoing.
- (4) "Quasi-judicial" refers to a land use, land development, zoning, or building related permit, application or appeal, as set forth below, in which city officials give notice and an opportunity to be heard to certain substantially affected persons, investigate facts, ascertain the existence of facts, hold hearings, weigh evidence, draw conclusions from the facts, and apply the law to the facts, as the basis for their decision.
- (5) "Site visit" means an inspection of real property subject to an application for any quasi-judicial action prior to a public hearing on the application conducted by a city official. The mere act of driving by a site in the daily course of driving to a particular location, such as work or a particular store, which act is not undertaken for the purpose of inspecting a particular parcel of real property is not a site visit for purposes of this section.

(c) *Ex parte communications between city officials and members of the public.*

- (1) A member of the public not otherwise prohibited by statute, charter provision or ordinance may have an *ex parte* communication with any city official regarding any quasi-judicial matter on which action may be taken by the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) below.
- (2) Except as otherwise provided by statute, charter provision, or ordinance, any city official may have an *ex parte* communication with any expert witness or consultant regarding any quasi-judicial matter on which action may be taken by the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) below. Nothing here,

however, shall restrict a city official access to city staff or expert witness or consultant retained by the City.

(3) Disclosure.

- (A) All city officials shall disclose the occurrence of all *ex parte* communications or discussions with a member of the public or an expert witness or consultant involving said city official which relate to the quasi-judicial action pending before the commission or board on which the city official serves.
 - (B) Disclosure shall occur by no later than the final public hearing, or if no formal public hearing is held, then any hearing at which the final decision regarding the quasi-judicial matter is made. The city official shall disclose the *ex parte* communication verbally or by memorandum. Any such memorandum disclosing the occurrence of the *ex parte* communication shall be placed in the official file regarding the pending quasi-judicial matter which file shall be maintained in the City Clerk's records.
 - (C) At the time of disclosure, the city official shall identify the person, group, or entity with whom the *ex parte* communication took place, the substance of the *ex parte* communication, and any matters discussed which are considered by the city official to be material to said city official's decision in the pending quasi-judicial matter.
- (d) *Oral or written communications between city staff and city officials.* City officials may discuss quasi-judicial matters pending before the commission or board on which said city official serves with city staff without the requirement to disclose pursuant to sub-section (c)(3) above.
- (e) *Site visits by city officials.* Any city official may conduct a site visit of any property related to a quasi-judicial matter pending before the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) above. Any disclosure of a site visit pursuant to sub-section (c)(3) shall disclose the existence of the site visit, and any information obtained by virtue of the site visit considered by the city official to be material to said official's decision regarding the pending quasi-judicial matter.
- (f) *Review of mail, correspondence, and written communications by city officials.* Any city official may review mail, correspondence, or written communications, related to a quasi-judicial matter pending before the commission or board on which the city official serves. Upon review of the mail, correspondence, or

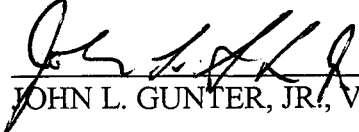
written communication, the document shall be placed in the official file regarding the pending quasi-judicial matter and maintained in the city clerk's records.

- (g) *City clerk's file.* All correspondence, mail, or written communications reviewed by city officials prior to the final hearing on a pending quasi-judicial matter shall be placed in the official file regarding said matter and maintained by the city clerk. Said correspondence, mail, or written communications reviewed by city officials prior to the final hearing on a pending quasi-judicial matter, or any disclosure memoranda as described in sub-section (c)(3)(B), shall be available for public inspection. By no later than the final public hearing, or if no formal public hearing is held, then at any hearing at which the final decision regarding the quasi-judicial matter is made, the city clerk shall make said correspondence, mail, written communications, or other matters, and any disclosure memoranda placed in the official file, a part of the record. All of the foregoing documents shall be received by the commission or board as evidence, with the exception of disclosure memoranda, subject to any objections interposed by participants at the hearing.
- (h) *Opportunity to comment upon substance of disclosure.* At such time that a disclosure regarding an *ex parte* communication, receipt of an expert opinion, site visit, or review of mail, correspondence, or other written communication is made a part of the record at a hearing, persons who may have opinions or evidence contrary to those expressed in the *ex parte* communication, expert opinion, or mail, correspondence, or other written communication, or noted during the site visit, shall be given a reasonable opportunity to refute or respond and provide contrasting information, evidence, or views.

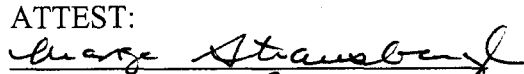
Section 2. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

Section 3. This resolution shall be effective upon passage.

PASSED AND RESOLVED this 24th day of June, 2004, by the City Commission of the City of Fruitland Park, Florida.

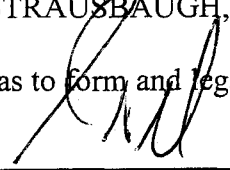


JOHN L. GUNTER, JR., VICE MAYOR

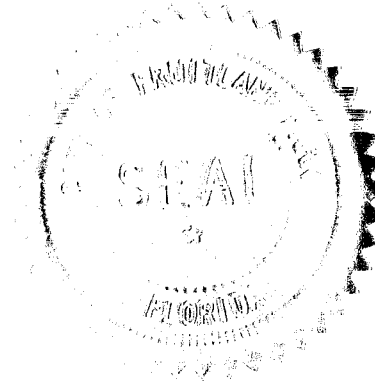
ATTEST:


MARGE STRAUSEBAUGH, CITY CLERK

Approved as to form and legality:



Scott A. Gerken, City Attorney





**AGENDA ITEM
NUMBER
5h**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Quasi-Judicial Public Hearing - First Reading - Ordinance 2017-006 Comprehensive Plan Amendment – Petitioner: Gamble Family Revocable Trust			
For the Meeting of:	January 26, 2017			
Submitted by:	City Manager/Community Development Director/City Attorney			
Date Submitted:	January 6, 2017			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Yes			
Description of Item: Proposed ordinance will be considered before the LPA.				
Action to be Taken: LPA's recommendations.				
Staff's Recommendation:				
Additional Comments:				

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

ORDINANCE 2017 -006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 0.31± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Adam Gamble, Gamble Family Revocable Trust as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Commercial" under the Comprehensive Plan for the City of Fruitland Park; and

WHEREAS, the required notice of the proposed small scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Planning and Zoning Commission of the City of Fruitland Park and the Local Planning Agency for the City of Fruitland Park have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Commission of the City of Fruitland Park.

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

Section 1: The following described property consisting of approximately 0.31 ± acres generally located north of CR 466A and east of Lake Josephine Drive and more particularly described as follows:

LEGAL DESCRIPTION: Lot 11, Block E, Florida Fruitland Park Tropical Homesites, according to the plat thereof, recorded in Plat Book 12, Page 34, of the Public Records of Lake County, Florida.

Parcel Alternate Key No. 1429811

shall be assigned a land use designation of Commercial under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2: A copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Fruitland Park as a matter of permanent record of the City, matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.

Section 3: The City Manager or his designee, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

Section 4: Severability.

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

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

Section 6: This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

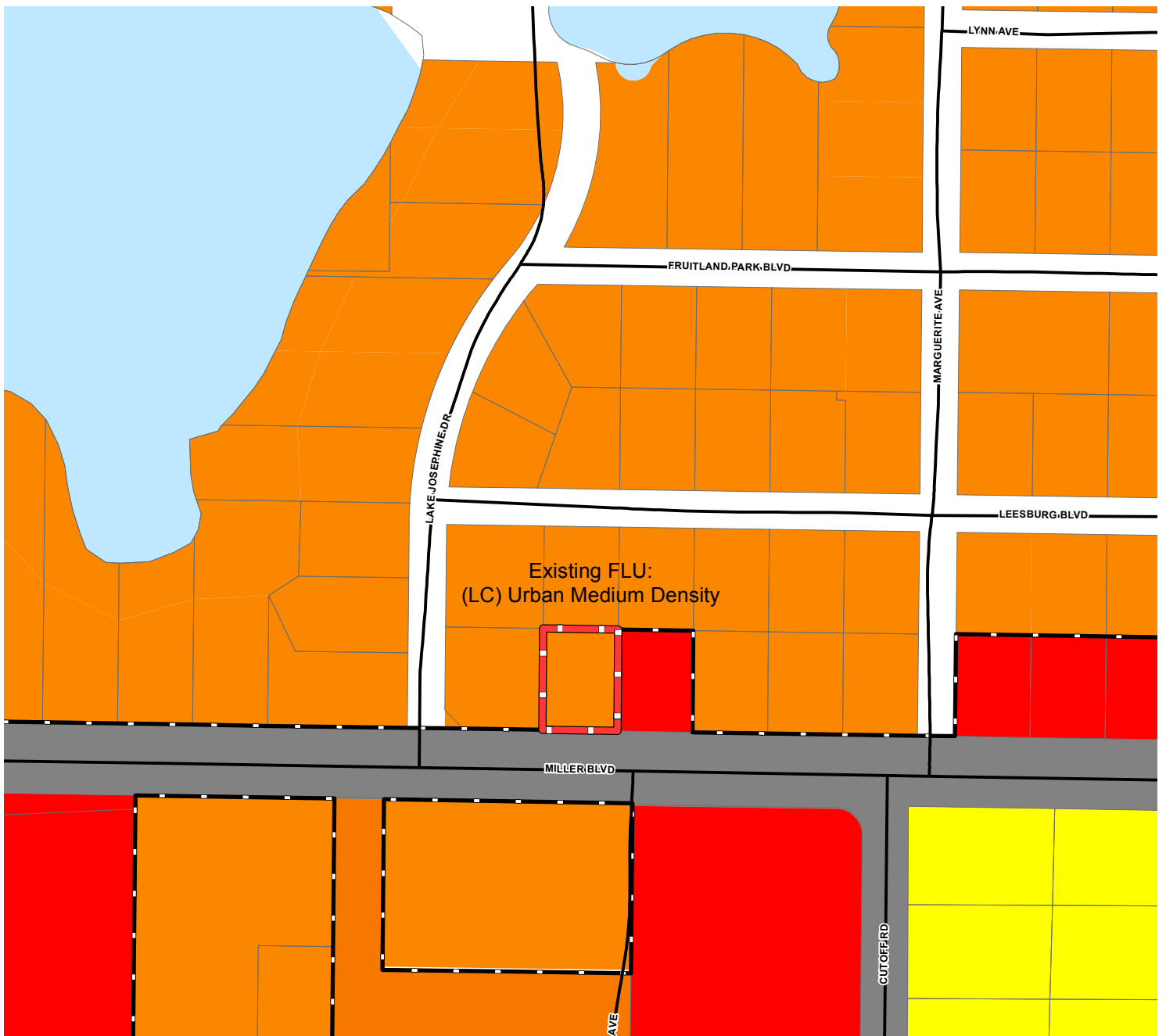
Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)

EXHIBIT A



Legend

Site Boundary

City of Fruitland Park

Lake County Future Land Use

City

Urban Low Density

Urban Medium Density

Water

City of Fruitland Park Future Land Use

SFLD -- Single - Family Low Density (2 du/ac)

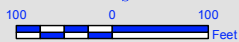
SFMD -- Single - Family Medium Density (4 du/ac)

MFHD -- Multiple - Family High Density (15 du/ac)

COMM -- Commercial - High Intensity

MC -- Mixed Community (6 res. du/ac)

ROW -- Right-of-Way



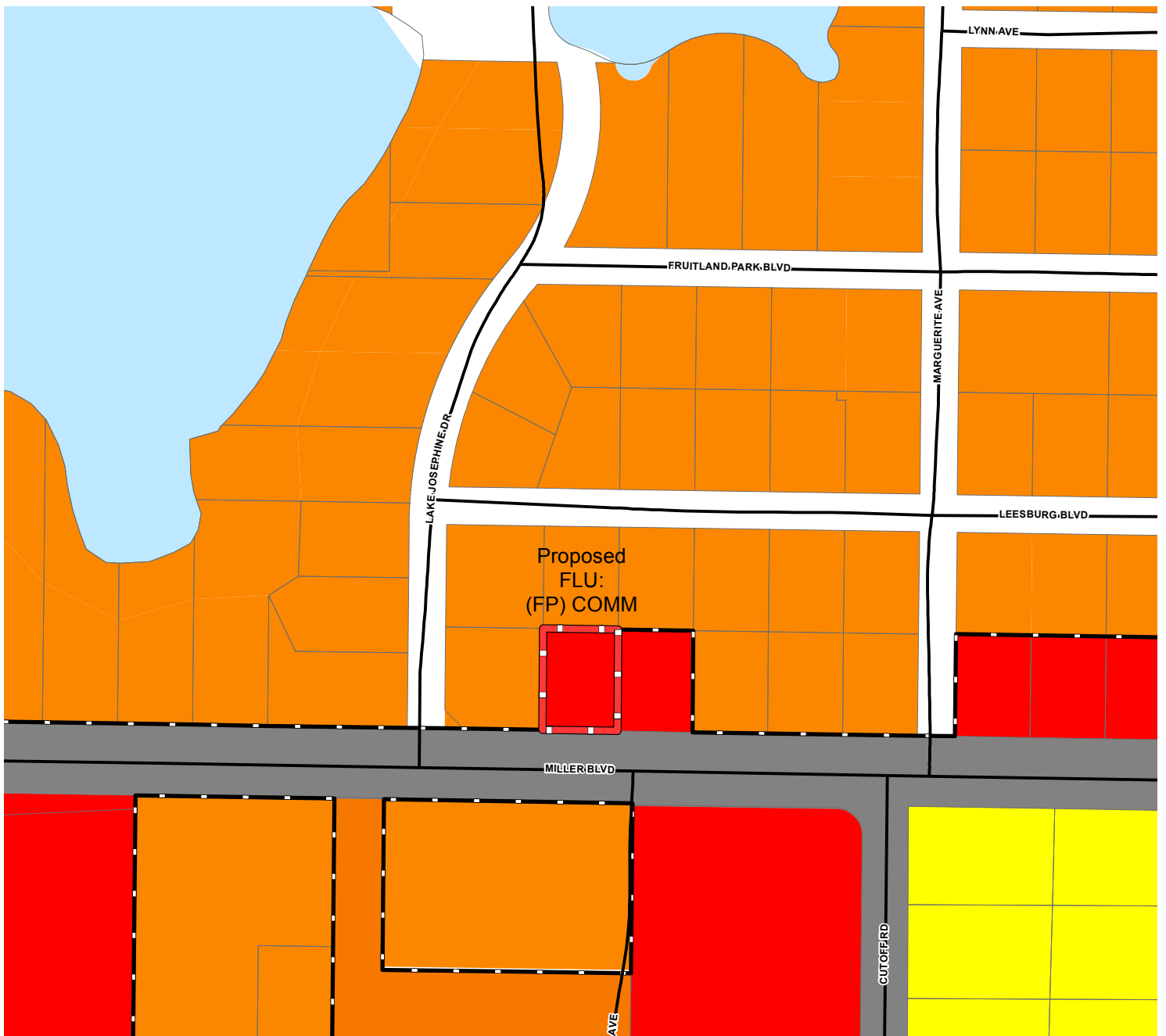
1 inch = 200 feet

**City of Fruitland Park
Gamble Family Revc Trust**

Lake County, Florida
Existing Future Land Use

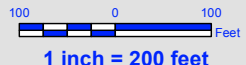
Project: 398-17-01
File: Existing FLU.mxd
Name: Gamble
PM: Sherie Lindh
Date: January 10, 2017
Created By: J.Wilson





Legend

- | | |
|------------------------------------|---|
| Site Boundary | City of Fruitland Park Future Land Use |
| City of Fruitland Park | SFLD -- Single - Family Low Density (2 du/ac) |
| Lake County Future Land Use | SFMD -- Single - Family Medium Density (4 du/ac) |
| City | MFHD -- Multiple - Family High Density (15 du/ac) |
| Urban Low Density | COMM -- Commercial - High Intensity |
| Urban Medium Density | MC -- Mixed Community (6 res. du/ac) |
| Water | ROW -- Right-of-Way |



City of Fruitland Park
Gamble Family Revocable Trust
 Lake County, Florida
Proposed Future Land Use

Project: 398-17-01
 File: Proposed FLU.mxd
 Name: Gamble
 PM: Sherie Lindh
 Date: January 10, 2017
 Created By: J.Wilson





**AGENDA ITEM
NUMBER
5i**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Quasi-Judicial Public Hearing - First Reading - Ordinance 2017-007 Rezoning – 0.31± Acres– Petitioner Gamble Family Revocable Trust			
For the Meeting of:	January 26, 2017			
Submitted by:	City Manager/Community Development Director/City Attorney			
Date Submitted:	January 6, 2017			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Yes			
Description of Item: Proposed ordinance will be considered before the LPA.				
Action to be Taken: LPA's recommendations.				
Staff's Recommendation:				
Additional Comments:				

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

ORDINANCE 2017-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.31 ± ACRES OF THE PROPERTY FROM LAKE COUNTY MIXED RESIDENTIAL DISTRICT (R-7) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Adam Gamble, Gamble Family Revocable Trust as Owner, requesting that approximately 0.31 acres of real property generally located north of CR 466A and east of Lake Josephine Drive (the "Property") be rezoned from Lake County Mixed Residential District (R-7) to General Commercial (C-2) within the city limits of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed rezoning has been properly published; and

WHEREAS, the City Commission reviewed said petition, the recommendations of the Planning and Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

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

Section 1. The following described property consisting of approximately 0.31 ± acres of land generally located north of CR 466A and east of Lake Josephine Drive shall hereafter be designated as C-2, General Commercial, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described as:

LEGAL DESCRIPTION: Lot 11, Block E, Florida Fruitland Park Tropical Homesites, according to the plat thereof, recorded in Plat Book 12, Page 34, of the Public Records of Lake County, Florida.

Parcel Alternate Key No. 1429811

Section 2. That the City Manager, or designee, is hereby directed to amend, alter, and implement the official zoning maps of the City of Fruitland Park, Florida to include said designation consistent with this Ordinance.

Section 3. That the zoning classification is consistent with the Comprehensive Plan of the City of Fruitland Park, Florida.

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

Section 5. Conflict. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This Ordinance shall become effective immediately upon the effective date of the comprehensive plan amendment for the subject property. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk
(SEAL)

Anita Geraci-Carver, City Attorney

Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____

Passed Second Reading _____



**AGENDA ITEM
NUMBER
5j**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Quasi-Judicial Public Hearing - First Reading - Ordinance 2017-005 Boundary Amendment – CR 466A and East of Lake Josephine Drive - Petitioner Gamble Family Revocable Trust			
For the Meeting of:	January 26, 2017			
Submitted by:	City Manager/Community Development Director/City Attorney			
Date Submitted:	January 6, 2017			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Yes			
Description of Item: Proposed ordinance will be considered before the LPA.				
Action to be Taken: LPA's recommendations.				
Staff's Recommendation:				
Additional Comments:				

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

ORDINANCE 2017-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 0.31 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Adam Gamble, Gamble Family Revocable Trust, Owner, requesting that approximately 0.31 acres of real property generally located north of CR 466A and east of Lake Josephine Drive (the “Property”) be annexed to and made a part of the City of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed annexation has been properly published; and

WHEREAS, the Property is contiguous to the City limits and is reasonably compact.

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

Section 1. The following described property consisting of approximately 0.31 acres of land generally located north of CR 466A and east of Lake Josephine Drive, contiguous to the City limits, is hereby incorporated into and made part of the City of Fruitland Park Florida. The property is more particularly described as follows:

LEGAL DESCRIPTION: Lot 11, Block E, Florida Fruitland Park Tropical Homesites, according to the plat thereof, recorded in Plat Book 12, Page 34, of the Public Records of Lake County, Florida.

Parcel Alternate Key No. 1429811

Section 2. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Department of State of Florida within seven (7) days after its passage on second and final reading.

Section 3. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. The property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendments to include the property annexed in the City Comprehensive Plan.

Section 5. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

Mayor Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)



**AGENDA ITEM
NUMBER
5k**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Quasi-Judicial Public Hearing - First Reading - Ordinance 2017-010 Comprehensive Plan Amendment – Petitioner: Humble Investments Inc.			
For the Meeting of:	January 26, 2017			
Submitted by:	City Manager/Community Development Director/City Attorney			
Date Submitted:	January 6, 2017			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Yes			
Description of Item: Proposed ordinance will be considered before the LPA.				
Action to be Taken: LPA's recommendations.				
Staff's Recommendation:				
Additional Comments:				

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

ORDINANCE 2017-010

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 0.37± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, a petition has been received from Adam Gamble, Humble Investments, Inc. as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Commercial" under the Comprehensive Plan for the City of Fruitland Park; and

WHEREAS, the required notice of the proposed small scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Planning and Zoning Commission of the City of Fruitland Park and the Local Planning Agency for the City of Fruitland Park have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Commission of the City of Fruitland Park.

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

Section 1: The following described property consisting of approximately 0.37 ± acres generally located north of CR 466A and east of Lake Josephine Drive and more particularly described as follows:

LEGAL DESCRIPTION: Lot 12, Block E, Florida Fruitland Park Tropical Homesites, according to the plat thereof, recorded in Plat Book 12, Page 34, of the Public Records of Lake County, Florida. LESS AND EXCEPT: A parcel of land being a portion of Lot 12, Block E, as depicted on the Plat of Florida Fruitland Park Tropical Homesites Recorded in Plat Book 12, Page 34, in the Public Records of Lake County, Florida, located in the Southeast Quarter of Section 5, Township 19 South, Range 24 East, Lake County, Florida being more particularly described as follows: Commence at a 4" x 4" concrete monument with disk stamped "PSM 3715" located at the Southwest Corner of the Southeast Quarter of Section 5, Township 19 South, Range 24 East, Lake County, Florida; Thence Run North 00°33'28" East along the West line of the Southeast Quarter of said Section 5, a distance of 1374.82 feet to a Point on the Existing North Right of Way Line of County Road 466A as depicted on Road Map Book 2, Pages 118 through 120, and on Road Map Book 6, Pages 61 through 83, in the Public Records of Lake County, Florida; Thence Run South 89°12'12" East, along said Existing North Right of Way Line and projections thereof, a distance of 736.23 feet to a point on the Existing Right of Way Line of Lake Josephine Drive, formerly known as Lake Shore Drive as depicted on the Plat of Florida Fruitland Park Tropical Homesites recorded in Plat Book 12, Page 34, in said Public Records, said Point being the Point of Beginning; Thence Run North 00°36'57" East, Along said Existing East Right of Way line a distance of 24.68 feet; Thence Departing said Existing Right of Way Line Run South 44°20'30" East a

distance of 34.99 feet to a Point on the aforesaid Existing Right of Way Line of County Road 466A; Thence Run North 89°12'12" West, Along said Existing Right of Way Line a distance of 24.72 feet to the Point of Beginning.

Parcel Alternate Key No. 1517869

shall be assigned a land use designation of Commercial under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2: A copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Fruitland Park as a matter of permanent record of the City, matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.

Section 3: The City Manager or his designee, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

Section 4: Severability.

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

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

Section 6: This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

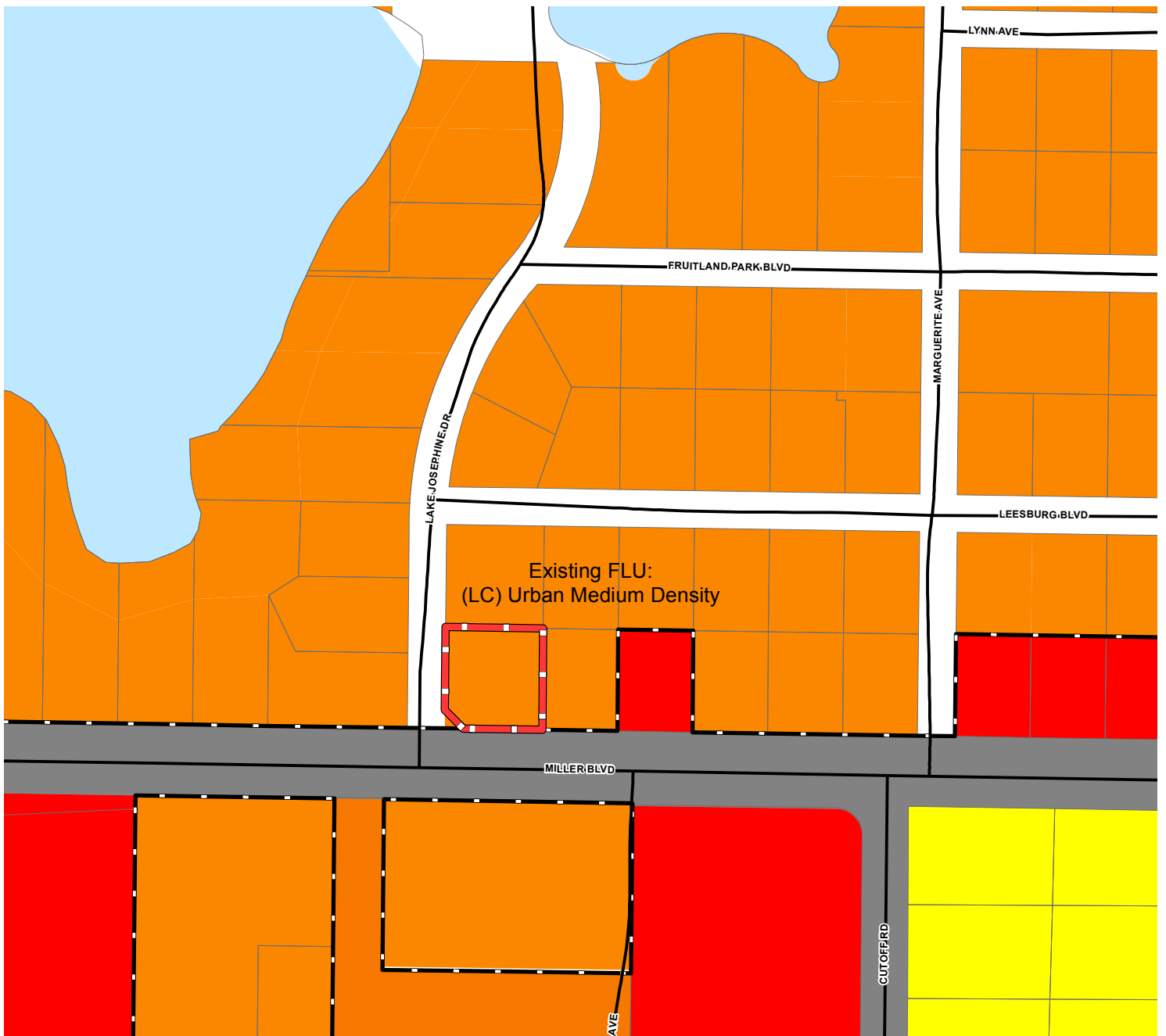
Vice Mayor Gunter _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire _____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____

Passed Second Reading _____

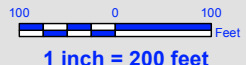
(SEAL)

EXHIBIT A



Legend

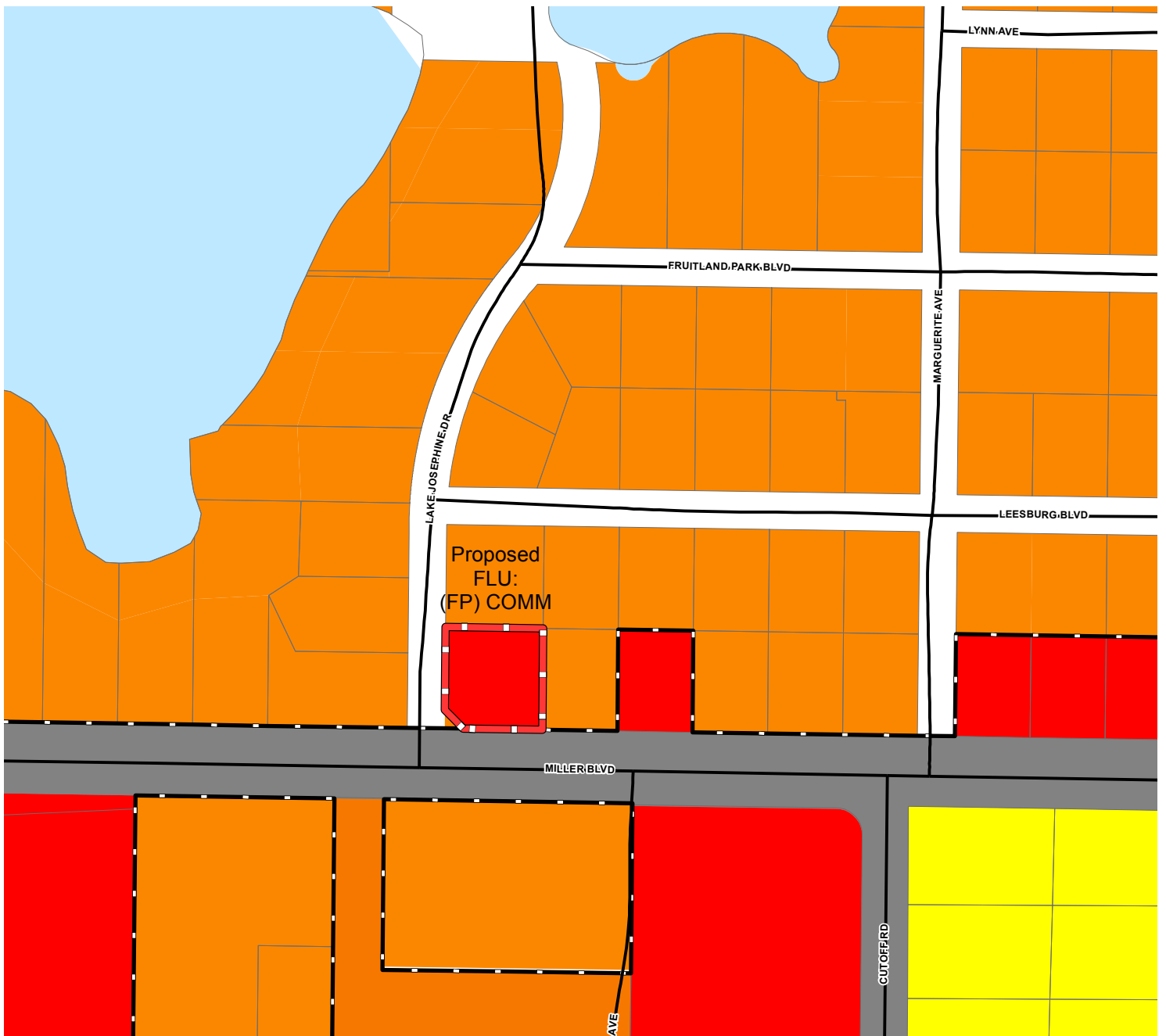
- | | |
|------------------------------------|---|
| Site Boundary | City of Fruitland Park Future Land Use |
| City of Fruitland Park | SFLD -- Single - Family Low Density (2 du/ac) |
| Lake County Future Land Use | SFMD -- Single - Family Medium Density (4 du/ac) |
| City | MFHD -- Multiple - Family High Density (15 du/ac) |
| Urban Low Density | COMM -- Commercial - High Intensity |
| Urban Medium Density | MC -- Mixed Community (6 res. du/ac) |
| Water | ROW -- Right-of-Way |



**City of Fruitland Park
Humble Investments Inc**
Lake County, Florida
Existing Future Land Use

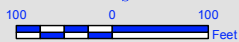
Project: 398-17-02
File: Existing FLU.mxd
Name: Humble
PM: Sherie Lindh
Date: January 10, 2017
Created By: J.Wilson





Legend

- | | |
|------------------------------------|---|
| Site Boundary | City of Fruitland Park Future Land Use |
| City of Fruitland Park | SFLD -- Single - Family Low Density (2 du/ac) |
| Lake County Future Land Use | SFMD -- Single - Family Medium Density (4 du/ac) |
| City | MFHD -- Multiple - Family High Density (15 du/ac) |
| Urban Low Density | COMM -- Commercial - High Intensity |
| Urban Medium Density | MC -- Mixed Community (6 res. du/ac) |
| Water | ROW -- Right-of-Way |



1 inch = 200 feet

**City of Fruitland Park
Humble Investments Inc**

Lake County, Florida
Proposed Future Land Use

Project: 398-17-02
File: Proposed FLU.mxd
Name: Humble
PM: Sherie Lindh
Date: January 10, 2017
Created By: J.Wilson





**AGENDA ITEM
NUMBER
51**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Quasi-Judicial Public Hearing - First Reading - Ordinance 2017-008 Rezoning – 0.31± Acres– Petitioner Humble Investments Inc.			
For the Meeting of:	January 26, 2017			
Submitted by:	City Manager/Community Development Director/City Attorney			
Date Submitted:	January 6, 2017			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Yes			
Description of Item: Proposed ordinance will be considered before the LPA.				
Action to be Taken: LPA's recommendations.				
Staff's Recommendation:				
Additional Comments:				

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

ORDINANCE 2017-008

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.37 ± ACRES OF THE PROPERTY FROM LAKE COUNTY MIXED RESIDENTIAL DISTRICT (R-7) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Adam Gamble, Humble Investments, Inc. as Owner, requesting that approximately 0.37 acres of real property generally located north of CR 466A and east of Lake Josephine Drive (the "Property") be rezoned from Lake County Mixed Residential District (R-7) to General Commercial (C-2) within the city limits of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed rezoning has been properly published; and

WHEREAS, the City Commission reviewed said petition, the recommendations of the Planning and Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

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

Section 1. The following described property consisting of approximately 0.37 ± acres of land generally located north of CR 466A and east of Lake Josephine Drive shall hereafter be designated as C-2, General Commercial, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described as:

LEGAL DESCRIPTION: Lot 12, Block E, Florida Fruitland Park Tropical Homesites, according to the plat thereof, recorded in Plat Book 12, Page 34, of the Public Records of Lake County, Florida. LESS AND EXCEPT: A parcel of land being a portion of Lot 12, Block E, as depicted on the Plat of Florida Fruitland Park Tropical Homesites Recorded in Plat Book 12, Page 34, in the Public Records of Lake County, Florida, located in the Southeast Quarter of Section 5, Township 19 South, Range 24 East, Lake County, Florida being more particularly described as follows: Commence at a 4" x 4" concrete monument with disk stamped "PSM 3715" located at the Southwest Corner of the Southeast Quarter of Section 5, Township 19 South, Range 24 East, Lake County, Florida; Thence Run North 00°33'28" East along the West line of the Southeast Quarter of said Section 5, a distance of 1374.82 feet to a Point on the Existing North Right of Way Line of County Road 466A as depicted on Road Map Book 2, Pages 118 through 120, and on Road Map Book 6, Pages 61 through 83, in the Public Records of Lake County, Florida; Thence Run South 89°12'12" East, along said Existing North Right of Way Line and projections thereof, a distance of 736.23 feet to a point on the Existing Right of Way Line of Lake Josephine Drive, formerly known as Lake Shore Drive as depicted on the Plat of Florida Fruitland Park Tropical Homesites recorded in Plat Book 12, Page 34, in said Public Records, said Point being the Point of Beginning; Thence Run North 00°36'57" East, Along said Existing

East Right of Way line a distance of 24.68 feet; Thence Departing said Existing Right of Way Line Run South 44°20'30" East a distance of 34.99 feet to a Point on the aforesaid Existing Right of Way Line of County Road 466A; Thence Run North 89°12'12" West, Along said Existing Right of Way Line a distance of 24.72 feet to the Point of Beginning.

Parcel Alternate Key No. 1517869

Section 2. That the City Manager, or designee, is hereby directed to amend, alter, and implement the official zoning maps of the City of Fruitland Park, Florida to include said designation consistent with this Ordinance.

Section 3. That the zoning classification is consistent with the Comprehensive Plan of the City of Fruitland Park, Florida.

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

Section 5. Conflict. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This Ordinance shall become effective immediately upon the effective date of the comprehensive plan amendment for the subject property. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk
(SEAL)

Anita Geraci-Carver, City Attorney

Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____

Passed Second Reading _____



**AGENDA ITEM
NUMBER
5m**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Quasi-Judicial Public Hearing - First Reading - Ordinance 2017-009 Boundary Amendment – CR 466A and East of Lake Josephine Drive - Petitioner Humble Investments Inc.			
For the Meeting of:	January 26, 2017			
Submitted by:	City Manager/Community Development Director/City Attorney			
Date Submitted:	January 6, 2017			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Yes			
Description of Item: Proposed ordinance will be considered before the LPA.				
Action to be Taken: LPA's recommendations.				
Staff's Recommendation:				
Additional Comments:				

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

ORDINANCE 2017-009

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 0.37 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Adam Gamble, Humble Investments, Inc., Owner, requesting that approximately 0.37 acres of real property generally located north of CR 466A and east of Lake Josephine Drive (the “Property”) be annexed to and made a part of the City of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed annexation has been properly published; and

WHEREAS, the Property is contiguous to the City limits and is reasonably compact.

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

Section 1.

The following described property consisting of approximately 0.37 acres of land generally located north of CR 466A and east of Lake Josephine Drive, contiguous to the City limits, is hereby incorporated into and made part of the City of Fruitland Park Florida. The property is more particularly described as follows:

LEGAL DESCRIPTION: Lot 12, Block E, Florida Fruitland Park Tropical Homesites, according to the plat thereof, recorded in Plat Book 12, Page 34, of the Public Records of Lake County, Florida. LESS AND EXCEPT: A parcel of land being a portion of Lot 12, Block E, as depicted on the Plat of Florida Fruitland Park Tropical Homesites Recorded in Plat Book 12, Page 34, in the Public Records of Lake County, Florida, located in the Southeast Quarter of Section 5, Township 19 South, Range 24 East, Lake County, Florida being more particularly described as follows: Commence at a 4” x 4” concrete monument with disk stamped “PSM 3715” located at the Southwest Corner of the Southeast Quarter of Section 5, Township 19 South, Range 24 East, Lake County, Florida; Thence Run North 00°33’28” East along the West line of the Southeast Quarter of said Section 5, a distance of 1374.82 feet to a Point on the Existing North Right of Way Line of County Road 466A as depicted on Road Map Book 2, Pages 118 through 120, and on Road Map Book 6, Pages 61 through 83, in the Public Records of Lake County, Florida; Thence Run South 89°12’12” East, along said Existing North Right of Way Line and projections thereof, a distance of 736.23 feet to a point on the Existing Right of Way Line of Lake Josephine Drive, formerly known as Lake Shore Drive as depicted on the Plat of Florida Fruitland Park Tropical Homesites recorded in Plat Book 12, Page 34, in said Public Records, said Point being the Point of Beginning; Thence Run North 00°36’57” East, Along said Existing East Right of

Way line a distance of 24.68 feet; Thence Departing said Existing Right of Way Line Run South 44°20'30" East a distance of 34.99 feet to a Point on the aforesaid Existing Right of Way Line of County Road 466A; Thence Run North 89°12'12" West, Along said Existing Right of Way Line a distance of 24.72 feet to the Point of Beginning.

Parcel Alternate Key No. 1517869

Section 2. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Department of State of Florida within seven (7) days after its passage on second and final reading.

Section 3. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. The property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendments to include the property annexed in the City Comprehensive Plan.

Section 5. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
Passed Second Reading _____
(SEAL)



**AGENDA ITEM
NUMBER
5n**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Quasi-Judicial Public Hearing – Second Reading - Ordinance 2017-002 Boundary Amendment – CR 466A and East of Lake Josephine Drive - Petitioner SEMS Property Owners Inc..			
For the Meeting of:	January 26, 2017			
Submitted by:	City Manager/Community Development Director/City Attorney			
Date Submitted:	January 6, 2017			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Yes			
Description of Item: Proposed ordinance will be considered before the LPA.				
Action to be Taken: LPA's recommendations.				
Staff's Recommendation:				
Additional Comments:				

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

ORDINANCE 2017-002

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 0.33 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Shams Tabrez, SEMS Property Owners, LLC, Owner, requesting that approximately 0.33 acres of real property generally located north of CR 466A and east of Lake Josephine Drive (the “Property”) be annexed to and made a part of the City of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed annexation has been properly published; and

WHEREAS, the Property is contiguous to the City limits and is reasonably compact.

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

Section 1. The following described property consisting of approximately 0.33 acres of land generally located north of CR 466A and east of Lake Josephine Drive, contiguous to the City limits, is hereby incorporated into and made part of the City of Fruitland Park Florida. The property is more particularly described as follows:

LEGAL DESCRIPTION: Lot 10, Block E, Florida Fruitland Park Tropical Homesites, according to the plat thereof, recorded in Plat Book 12, Page 34, of the Public Records of Lake County, Florida.

Parcel Alternate Key No. 1429803

Section 2. The City Clerk shall forward a certified copy of this Ordinance to the Clerk of the Circuit Court, the County Manager of Lake County, Florida, and the Department of State of Florida within seven (7) days after its passage on second and final reading.

Section 3. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 4. The property annexed in this Ordinance is subject to the Land Use Plan of the Lake County Comprehensive Plan and county zoning regulations until the City adopts the Comprehensive Plan Amendments to include the property annexed in the City Comprehensive Plan.

Section 5. This Ordinance shall become effective immediately upon passage by the City Commission of the City of Fruitland Park.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

(SEAL)

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

Commissioner Bell	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Ranize	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Lewis	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice Mayor Gunter	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

Passed First Reading January 12, 2017
Passed Second Reading _____



**AGENDA ITEM
NUMBER
50**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Quasi-Judicial Public Hearing - Second Reading - Ordinance 2017-003 Comprehensive Plan Amendment – CR 466A and East of Lake Josephine Drive - Petitioner SEMS Property Owners LLC			
For the Meeting of:	January 26, 2017			
Submitted by:	City Manager/Community Development Director/City Attorney			
Date Submitted:	January 6, 2017			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Yes			
Description of Item: Proposed ordinance will be considered before the LPA.				
Action to be Taken: LPA's recommendations.				
Staff's Recommendation:				
Additional Comments:				

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

ORDINANCE 2017 - 003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 0.33± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been received from Shams Tabrez, SEMS Property Owners, LLC as Owner, requesting that real property within the city limits of the City of Fruitland Park be assigned a land use designation of "Commercial" under the Comprehensive Plan for the City of Fruitland Park; and

WHEREAS, the required notice of the proposed small scale comprehensive plan amendment has been properly published as required by Chapter 163, Florida Statutes; and

WHEREAS, the Planning and Zoning Commission of the City of Fruitland Park and the Local Planning Agency for the City of Fruitland Park have reviewed the proposed amendment to the Comprehensive Plan and have made recommendations to the City Commission of the City of Fruitland Park.

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

Section 1: The following described property consisting of approximately 0.33 ± acres generally located north of CR 466A and east of Lake Josephine Drive and more particularly described as follows:

LEGAL DESCRIPTION: Lot 10, Block E, Florida Fruitland Park Tropical Homesites, according to the plat thereof, recorded in Plat Book 12, Page 34, of the Public Records of Lake County, Florida.

Parcel Alternate Key No. 1429803

shall be assigned a land use designation of Commercial under the City of Fruitland Park Comprehensive Plan as depicted on the map attached hereto as Exhibit "A" and incorporated herein by reference.

Section 2: A copy of said Land Use Plan Amendment is filed in the office of the City Manager of the City of Fruitland Park as a matter of permanent record of the City, matters and contents therein are made a part of this ordinance by reference as fully and completely as if set forth herein, and such copy shall remain on file in said office available for public inspection.

Section 3: The City Manager or his designee, after passage of this Ordinance, is hereby directed to indicate the changes adopted in this Ordinance and to reflect the same on the Comprehensive Land Use Plan Map of the City of Fruitland Park.

Section 4: Severability.

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

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

Section 6: This Ordinance shall become effective 31 days after its adoption by the City Commission. If this Ordinance is challenged within 30 days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this Ordinance is in compliance.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

(SEAL)

Chris Cheshire, Mayor
City of Fruitland Park, Florida

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

Commissioner Bell	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Vice Mayor Gunter	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Ranize	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Lewis	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Mayor Cheshire	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)

Passed First Reading _____ January 12, 2017
Passed Second Reading _____

EXHIBIT A



**AGENDA ITEM
NUMBER
5p**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Quasi-Judicial Public Hearing - Second Reading - Ordinance 2017-004 Rezoning – 0.31+ Acres– SEMS Property Owners Inc.			
For the Meeting of:	January 26, 2017			
Submitted by:	City Manager/Community Development Director/City Attorney			
Date Submitted:	January 6, 2017			
Are Funds Required:		Yes	X	No
Account Number:	N/A			
Amount Required:	N/A			
Balance Remaining:	N/A			
Attachments:	Yes			
Description of Item: Proposed ordinance will be considered before the LPA.				
Action to be Taken: LPA's recommendations.				
Staff's Recommendation:				
Additional Comments:				

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

ORDINANCE 2017 -004

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.33 ± ACRES OF THE PROPERTY FROM LAKE COUNTY MIXED RESIDENTIAL DISTRICT (R-7) TO NEIGHBORHOOD COMMERCIAL (C-1) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a petition has been submitted by Shams Tabrez, SEMS Property Owners, LLC as Owner, requesting that approximately 0.33 acres of real property generally located north of CR 466A and east of Lake Josephine Drive (the "Property") be rezoned from Lake County Mixed Residential District (R-7) to Neighborhood Commercial (C-1) within the city limits of Fruitland Park; and

WHEREAS, the petition bears the signature of all applicable parties; and

WHEREAS, the required notice of the proposed rezoning has been properly published; and

WHEREAS, the City Commission reviewed said petition, the recommendations of the Planning and Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

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

Section 1. The following described property consisting of approximately 0.33 ± acres of land generally located north of CR 466A and east of Lake Josephine Drive shall hereafter be designated as C-1, Neighborhood Commercial, as defined in the Fruitland Park Land Development Regulations. The property is more particularly described as:

LEGAL DESCRIPTION: Lot 10, Block E, Florida Fruitland Park Tropical Homesites, according to the plat thereof, recorded in Plat Book 12, Page 34, of the Public Records of Lake County, Florida.

Parcel Alternate Key No. 1429803

Section 2. That the City Manager, or designee, is hereby directed to amend, alter, and implement the official zoning maps of the City of Fruitland Park, Florida to include said designation consistent with this Ordinance.

Section 3. That the zoning classification is consistent with the Comprehensive Plan of the City of Fruitland Park, Florida.

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

Section 5. Conflict. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This Ordinance shall become effective immediately upon the effective date of the comprehensive plan amendment for the subject property. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

[SEAL]

ATTEST:

Approved as to Form:

Esther Coulson, CMC, City Clerk
(SEAL)

Anita Geraci-Carver, City Attorney

Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading January 12, 2017

Passed Second Reading _____



**AGENDA ITEM
NUMBER
5q**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Public Hearing – Resolution 2017-007- Setback Buffer Standards – Petitioner: Sunshine Properties & Rentals Inc.		
For the Meeting of:	January 26, 2017		
Submitted by:	City Manager/Community Development Director/City Attorney		
Date Submitted:	January 6, 2017		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes		
Description of Item: Resolution attached			
Action to be Taken: Adopt Resolution 2017-007.			
Staff's Recommendation:			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

RESOLUTION 2017-007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATION (LDR) REQUIREMENTS PERTAINING TO SETBACK AND BUFFER STANDARDS FROM 15' TO 10', ON THE SUBJECT PROPERTY LOCATED NORTH OF CR 466A AND WEST OF ROSE STREET AND OWNED BY SUNSHINE PROPERTIES & RENTALS, INC., PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Patricia Pospisil, President of Sunshine Properties & Rentals, Inc. has petitioned for a variance for their property, located North of CR 466A (Miller Street) and west of Rose Street, in the City of Fruitland Park, Florida; and

WHEREAS, the owners request a variance to the following LDR requirements:

- Chapter 154, Section 154.040 Setbacks
- Chapter 164, Section 164.030(b) Landscape Buffer

WHEREAS, the City Commission has considered the petition in accordance with standards for the granting of variances contained in Chapter 168, City of Fruitland Park Land Development Regulations,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, as follows:

1. The petition for variance filed by Patricia Pospisil, President of Sunshine Properties & Rentals, Inc. for property north of CR 466A and west of Rose Street, in the City of Fruitland Park, Florida, more particularly described as:

LEGAL DESCRIPTION:

The East Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter, in Section 4, Township 19 South, Range 24 East, Lake County, Florida. Less the North 431.07 feet. Also Less and Except the following: Commence at a car axle with no identification located at the Northwest corner of the Southwest Quarter of Section 4, Township 19 South, Range 24 East, Lake County, Florida; thence run South 00°34'30" West, along the West line of the Southwest Quarter of said Section 4, a distance of 1297.59 feet to a point on the existing North Right of Way line of County Road 466A as depicted in Road Map Book 2, Page 118, in the Public Records of Lake County, Florida; thence, departing said West line run South 89°04'41" East, along said existing North Right of Way line, a distance of 1655.31 feet to the Point of Beginning, said point being on the West line of a parcel of land described in Official Records Book 1224, Page 1302, of said Public Records; thence, departing said existing North Right of Way line, run North 00°34'22" East, along said West property line, a distance of 34.00 feet to a point on a line running parallel with and 34.00 feet Northerly of, when measured perpendicular to, said existing North Right of Way line; thence run South 89°04'41" East, along said parallel line, a distance of 109.22 feet to the point of curvature of a curve concave Southerly, having a radius of 34,441.41 feet, a chord bearing of South 88°56'42" East and a chord distance of 159.95 feet; thence run Easterly along the arc of said curve, through a central angle 00°15'58", a distance of 159.95 feet; thence departing said curve, run North 45°38'53" East, a distance of 64.04 feet; thence run North 00°34'2 1" East, a distance of 28.86 feet; thence run South 89°25'39" East, a distance of 16.55 feet to

a point on the East line of the East Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of said Section 4, said Point also being on the existing West Right of Way line of Rose Street, depicted as Parker Street on the Plat of Summerwind, recorded in Plat Book 22, Page 53, of said Public Records; thence run South 00°34'21" West, along said existing West Right of Way line, a distance of 108.81 feet to a point on the aforesaid existing North Right of Way line of County Road 466A. Said point being on a curve concave Southerly, having a radius of 34,407.41 feet, a chord bearing of North 88°53'35" West and a chord distance of 222.05 feet; thence, departing said existing West right of Way line from a tangent bearing of North 88°42'29" West, run Westerly along said existing North Right of Way line and the arc of said curve, through a central angle of 00°22' 11", a distance of 222.05 feet to the point of tangency; thence run North 89°04'41" West, along said existing North Right of Way line, a distance of 109.02 feet to the Point of Beginning.

Parcel Alternate Key No. 1170273

is granted as follows:

1. A variance to Chapter 154, Section 154.040 Setback Standards from a rear setback of 15' to 10'.
2. A variance to Chapter 164, Section 164.030(b) Landscape Buffer from a rear buffer of 15' to 10' with a solid 6' vinyl fence.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

Chris Cheshire, Mayor
City of Fruitland Park, Florida

Approved as to Form:

Esther Coulson, CMC, City Clerk

Anita Geraci-Carver, City Attorney

Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
(SEAL)



**AGENDA ITEM
NUMBER
5r**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Public Hearing – Resolution 2017-008- Setback Buffer Standards – Petitioner: Sunshine Properties & Rentals Inc.		
For the Meeting of:	January 26, 2017		
Submitted by:	City Manager/Community Development Director/City Attorney		
Date Submitted:	January 6, 2017		
Are Funds Required:		Yes	X No
Account Number:	N/A		
Amount Required:	N/A		
Balance Remaining:	N/A		
Attachments:	Yes		
Description of Item: Resolution attached			
Action to be Taken: Adopt Resolution 2017-008.			
Staff's Recommendation:			
Additional Comments:			

Reviewed by: _____
City Manager

Authorized to be placed on the regular agenda: _____
Mayor

RESOLUTION 2017- 008

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATION (LDR) REQUIREMENTS PERTAINING TO SETBACK AND BUFFER STANDARDS, USES WITHIN A BUFFER AND NUMBER OF UNINTERRUPTED PARKING SPACES ON THE SUBJECT PROPERTY LOCATED NORTH OF CR 466A AND EAST OF MICRO RACETRACK ROAD AND OWNED BY CARRIE ROSS BLEVINS, PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Carrie Ross Blevins has petitioned for a variance for their property, located North of CR 466A (Miller Street) and east of Micro Racetrack Road, in the City of Fruitland Park, Florida; and

WHEREAS, the owners request a variance to the following LDR requirements:

- Chapter 154, Section 154.040 Setbacks
- Chapter 164, Section 164.030(b) Landscape Buffer
- Chapter 164, Section 164.030(a)(1) Maximum Uninterrupted Parking Spaces
- Chapter 164, Section 164.030(c) Uses within Buffers

WHEREAS, the City Commission has considered the petition in accordance with standards for the granting of variances contained in Chapter 168, City of Fruitland Park Land Development Regulations,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, as follows:

1. The petition for variance filed by Carrie Ross Blevins for property north of CR 466A and east of Micro Racetrack Road, in the City of Fruitland Park, Florida, more particularly described as:

LEGAL DESCRIPTION:

East 100 feet of the South 400 feet of the SW ¼ of the NW ¼ of the SE ¼ in Section 6, Township 19, Range 24 East, Lake County, Florida, less the right of way for State Road No. 466A.

Parcel Alternate Key No. 1288215

is granted as follows:

1. A variance to Chapter 154, Section 154.040 Setback Standards from a rear setback of 15' to 4' within a certain area for the placement of a dumpster. The rear setback of 15' shall apply to the remaining rear property line.
2. A variance to Chapter 154, Section 154.040 Setback Standards from a side setback of 10' to 5' along the eastern property boundary adjacent to the building. The side setback of 15' shall apply to the remaining rear property line.
3. A variance to Chapter 164, Section 164.030(b) Landscape Buffer from a rear buffer of 15' to 4' within a certain area for the placement of a dumpster. The rear landscape buffer of 15' shall apply to the remaining rear property line.
4. A variance to Chapter 164, Section 164.030(b) Landscape Buffer from a side buffer of 10' to 5' along the eastern property boundary.
5. A variance to Chapter 164, Section 164.030(b) Landscape Buffer from a side buffer of 10' to 4' along the western property boundary.

6. Chapter 164, Section 164.030(a)(1) maximum number of uninterrupted parking spaces from 10 spaces to 13 spaces;
7. Chapter 164, Section 164.030(c) regarding uses within the buffer from passive recreation to allow the placement of a dumpster.
8. To mitigate for the above variances the owner shall provide additional internal landscaping above Land Development Regulations requirements.

PASSED AND ORDAINED in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this _____ day of _____, 2017.

 Chris Cheshire, Mayor
 City of Fruitland Park, Florida

Approved as to Form:

 Esther Coulson, CMC, City Clerk

 Anita Geraci-Carver, City Attorney

Commissioner Bell	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Ranize	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Commissioner Lewis	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Vice Mayor Gunter	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)
Mayor Cheshire	_____ (Yes), _____ (No), _____ (Abstained), _____ (Absent)

Passed First Reading _____
 (SEAL)



506 WEST BERCKMAN STREET
FRUITLAND PARK, FL 34731

PHONE: 352/ 360-6727
FAX: 352/ 360-6652

Board Members: Vacant, Chairman Colin Crews Connie Bame Daniel Dicus Philip Purlee	Others: Charlie Rector, Community Development Director Tracy Kelley, Administrative Assistant
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**AGENDA
PLANNING & ZONING BOARD
JANUARY 19, 2017
6:00PM**

- I. INVOCATION:**
- II. ROLL CALL:**
- III. MINUTES FROM PREVIOUS MEETING: Approve minutes from December 15, 2016.**
- IV. OLD BUSINESS: None**
- V. NEW BUSINESS:**
 - A. Introduction of new Planning & Zoning Board Member
 - a. Appoint Chairman to Planning & Zoning Board
 - B. Carrie Ross Blevins Variance
 - a. Reduce building side setback on east side of property
 - b. Reduce the side landscape buffer width on east & west sides of property
 - c. Reduce the rear setback from 15' to 4' for dumpster enclosure
 - d. Increase the maximum number of uninterrupted parking spaces from 10 to 13
 - C. Sunshine Properties & Rentals, Inc. Variance
 - a. Reduce rear landscape buffer width of property to 10'
 - D. Gamble Family Revc Trust Annexation, SSCPA, and Rezoning
 - b. Annexation from County to City limits of Fruitland Park
 - c. SSCPA for 1 parcel totaling 0.31 ± acres
 - d. Rezoning from County R-7 to City General Commercial (C-2)

- E. Humble Investments, Inc. Annexation, SSCPA, and Rezoning
 - e. Annexation from County to City limits of Fruitland Park
 - f. SSCPA for 1 parcel totaling 037 ± acres
 - g. Rezoning from County R-7 to City General Commercial (C-2)

BOARD MEMBERS' COMMENTS:

ADJOURNMENT:



AGENDA ITEM NUMBER 7

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Public Comments				
For the Meeting of:	January 26, 2017				
Submitted by:	City Clerk				
Date Submitted:	January 18, 2017				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:	Yes				
Description of Item:					
<p>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.</p> <p>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.</p>					
Action to be Taken: None.					
Staff's Recommendation:					
Additional Comments:					

Reviewed by: _____
City Manager

Authorized to be placed on the agenda: _____
Mayor

RESOLUTION 2013 -023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A PUBLIC PARTICIPATION POLICY WITH REGARD TO MEETINGS OF CITY BOARDS AND COMMISSIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission wishes to adopt a public participation policy for meetings of the City's boards and commissions; and

WHEREAS, the City Commission accordingly desires to pass this Resolution 2013-023 to do so.

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

Section 1. The following Public Participation Policy shall apply to meetings of City boards or commissions as provided herein.

Sec. 1. Citizen's Rights

(a) Definition. For the purposes of this section, "board or commission" means a board or commission of the City of Fruitland Park.

(b) Right to be Heard: Members of the public shall be given a reasonable opportunity to be heard on a proposition before a City board or commission except as provided for below. Public input shall be limited to three (3) minutes. This right does not apply to:

1. An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;
2. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
3. A meeting that is exempt from §286.011; or
4. A meeting during which the Commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

Sec. 2. Suspension and Amendment of these Rules

(a) Suspension of these Rules: Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of the Commission.

(b) Amendment of these Rules: These rules may be amended or new rules adopted by resolution.

- (c) Effect of Variance from Rules: The failure to follow this Public Participation Policy shall not be grounds for invalidating any otherwise lawful act of the City's boards or commissions.

Section 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Resolution.

Section 3. This Resolution shall become effective immediately upon passage.

RESOLVED this 26 day of September, 2013, by the City Commission of the City of Fruitland Park, Florida.



Christopher J. Bell, Mayor

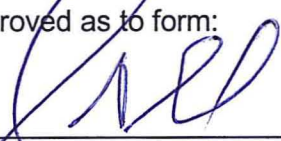
ATTEST:


MARIE AZZOLINO, Acting City Clerk

Passed First Reading 9/26/2013

Passed Second Reading N/A

Approved as to form:


SCOTT A. GERKEN, City Attorney



**AGENDA ITEM
NUMBER**
8a

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	Public Works Building				
For the Meeting of:	January 26, 2017				
Submitted by:	City Manager				
Date Submitted:	January 20, 2017				
Are Funds Required:			Yes	X	No
Account Number:	N/A				
Amount Required:	N/A				
Balance Remaining:	N/A				
Attachments:					
Description of Item:	Public Works Building, Capital Improvement				
Action to be Taken:					
Staff's Recommendation:					
Additional Comments:					

Reviewed by: _____
City Manager

Authorized to be placed on the agenda: _____
Mayor



**AGENDA ITEM
NUMBER
8bi**

AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	City Attorney Report		
For the Meeting of:	January 26, 2017		
Submitted by:	City Attorney		
Date Submitted:	January 18, 2017		
Are Funds Required:		Yes	X No
Account Number:			
Amount Required:			
Balance Remaining:			
Attachments:			

Description of Item:

Please find below items to report to the City Commission. The Commission asked for information relating to adoption of a fire assessment and inclusion on the ad valorem tax bill for 2017 should the Commission adopt a fire assessment fee. The Interlocal Agreement with the Property Appraiser provides for inclusion of the estimated assessment on the TRIM notice rather than the City mailing separate fire class notices. Based on last year's TRIM schedule below please find the proposed schedule for your consideration. Sandi Walker at GSG reviewed and offered assistance with proposed schedule.

Adopt Initial Assessment Resolution	July 13, 2017 (prior to July 21, 2017)
City submits preliminary assessment roll to Property Appraiser for inclusion on TRIM notice	By July 24, 2017
Publish Notice of Public Hearing for Final Assessment Resolution	By August 21, 2017
TRIM Notices Mailed by Property Appraiser	By August 21, 2017
Adopt Final Assessment Resolution	September 14, 2017 (between Sept. 11 – Sept. 14)
Certify Assessment Roll to Tax Collector	By September 15, 2017

If a fire assessment is imposed by the City a fire assessment must be imposed both in The Villages of Fruitland Park, and in the Historic Fruitland Park.

Action to be Taken: No action required
Staff's Recommendation: N/A
Additional Comments:

Reviewed by: _____

Authorized to be placed on the Regular Consent agenda: _____
Mayor



AGENDA ITEM NUMBER 8bii
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AGENDA ITEM SUMMARY SHEET

ITEM TITLE:	City Attorney Report			
For the Meeting of:	January 26, 2017			
Submitted by:	City Attorney			
Date Submitted:	January 20, 2017			
Are Funds Required:		Yes	X	No
Account Number:				
Amount Required:				
Balance Remaining:				
Attachments:				

I have reviewed City Ordinance 2011-001 which adopted the International Code Council’s International Property Maintenance Code, 2009 Edition. Since adopted there have been two revisions to the IPMC, one in 2012 and the other in 2015. In 2018 there will be a further revised version because they provide updates every 3 years. Although not imperative, the City may want to consider adopting a few provisions. I have outlined the changes below,

- Sec. 102.7 Referenced codes and standards. Rather than the IPMC governing in the event of a conflict with the Florida Building Code, the FBC should apply.
- Consider adding the following language in Sec. 108:

108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.

4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, **m**echanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

[A] 108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public

agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

[A] 108.3 Notice. Whenever the *code official* has *condemned* a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the *owner* or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the *condemned* equipment. The notice shall be in the form prescribed in Section 107.2.

[A] 108.4 Placarding. Upon failure of the *owner* or person responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word “Condemned” and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard.

[A] 108.6 Abatement methods. The *owner, operator* or *occupant* of a building, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

[A] 108.7 Record. The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the structure and the nature of the unsafe condition.

- 111.3 and 111.5 – revise to reflect special magistrate and eliminate references to chairman of the code board and a majority vote of the code board.
- Consider adding the following to 302.4 - Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.
- Consider adding the following Sec. 604 - **604.3 Electrical system hazards.** Where it is found that the electrical system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

Staff’s Recommendation: N/A

Additional Comments:

Reviewed by: _____

Authorized to be placed on the Regular Consent agenda: _____

Mayor