

**FRUITLAND PARK CITY COMMISSION
COMMUNITY REDEVELOPMENT AGENCY SPECIAL
MEETING AGENDA**

December 17, 2020

City Hall Commission Chambers
506 W. Berckman Street
Fruitland Park, Florida 34731

6:15 p.m.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CRA 2021 MEETING SCHEDULE** (city clerk)
- 4. CRA AUDIT ENGAGEMENT LETTER – McDIRMIT AUDITORS** (city treasurer)

PUBLIC HEARING

- 5. ORDINANCE 2021-001 – CRA REDEVELOPMENT PLAN AMENDMENT AND EXTENDING SUNSET DATE** (city attorney)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK REDEVELOPMENT PLAN TO INCLUDE ADDITIONAL PROJECTS AND EXTEND THE SUNSET DATE TO 2055 PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND SETTING FOR AN EFFECTIVE DATE.

- 6. UNFINISHED BUSINESS**

- 7. PUBLIC COMMENTS**

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the Community Redevelopment Agency 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 CRA. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the CRA

addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

8. ADJOURNMENT

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

PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.

**CITY OF FRUITLAND PARK
AGENDA ITEM SUMMARY SHEET
Item Number: 3**

ITEM TITLE:	2021 CRA Meeting Schedule
For the Meeting of:	December 17, 2020
Submitted by:	City Clerk
Date Submitted:	December 11, 2020
Funds Required:	No
Account Number:	N/A
Amount Required:	N/A
Balance Remaining:	N/A
Attachments:	2021 Meeting Schedule
Item Description:	2021 CRA Meeting Schedule
Action to be Taken:	Approve 2021 CRA Meeting Schedule
Staff's Recommendation:	Approval
Additional Comments:	No
City Manager Review:	Yes
Mayor Authorization:	Yes



**COMMUNITY REDEVELOPMENT AGENCY
2021 MEETING SCHEDULE**

The City of Fruitland Park Community Redevelopment Agency holds its scheduled meetings quarterly as soon as practical at 6:15 pm at 506 West Berckman Street, Fruitland Park, Florida, 34731. The following meeting dates, times and locations are subject to change to unforeseen circumstances such as emergencies:

March 26 regular

July 23 regular

September 24 regular

December 10 regular

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

ITEM TITLE: Auditor McDirmit Davis Engagement Letter
– FY 2020-21

For the Meeting of: December 17, 2020

Submitted by: City Treasurer

Date Submitted: November 19, 2020

Funds Required: See below.

Attachments: Auditor McDirmit Davis Engagement Letter
FY 2020-21

Item Description: **City of Fruitland Park Auditing Services** – On November 14, 2019, the city commission adopted Resolution 2019-064 approving the auditing services agreement with McDirmit Davis CPA.

There is a new statutory requirement to separate the City of Fruitland Park and CRA portion of the audit. There are now two engagement letters, one for the main financial audit approved at December 10, 2020 regular city commission meeting and one for the CRA audit. The cost has not changed but has been split between the main audit and the CRA audit. The total cost is \$24,500 but is now split \$19,500 for main audit and \$5,000 for the CRA audit. This is budgeted in finance and water and sewer under audit fee 01513-30320 (50%), 40533-30320 (\$25%), and 40535-30320 (25%).

Action to be Taken: **Approve the renewal of McDirmit Davis’ auditing services with the Community Redevelopment Agency for the year ending September 30, 2021 and authorize the mayor to execute the engagement letter.**

Staff’s Recommendation: Approval

Additional Comments: No

City Manager Review: Yes

Mayor Authorization: Yes



November 9, 2020

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

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

You have requested that we audit the governmental activities, and major fund of the City of Fruitland Park *Community Redevelopment Agency*, as of September 30, 2020, and for the year then ended and the related notes, which collectively comprise the City of Fruitland Park Community Redevelopment Agency's basic financial statements as listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audit will be conducted with the objective of our expressing an opinion on each opinion unit applicable to those basic financial statements.

Accounting principles generally accepted in the United States of America (U.S. GAAP,) as promulgated by the Governmental Accounting Standards Board (GASB) require that management's discussion and analysis and budgetary comparison schedules be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB, 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

Auditor Responsibilities

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS) and, in accordance with *Government Auditing Standards*. Those standards 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 basic financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the basic 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 basic financial statements. If appropriate, our procedures will therefore include tests of documentary evidence that support the transactions recorded in the accounts, tests of 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 representation from you about the basic financial statements and 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 (whether caused by errors, fraudulent financial reporting, misappropriation of assets, 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 in accordance with *Government Auditing Standards* Chapter 10.550, Rules of the Auditor General, and Florida Statutes 163.387.

In making our risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the basic 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 limited to the period covered by our audit and does not extend to any other periods.

We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matter paragraphs. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Compliance with Laws and Regulations

As previously discussed, as part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we will perform tests of *City of Fruitland Park Community Redevelopment Agency's* compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

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:

- a. For the preparation and fair presentation of the basic financial statements in accordance with accounting principles generally accepted in the United States of America;
- b. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of basic 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; and
- c. To provide us with:
 - i. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the basic financial statements such as records, documentation, and other matters;
 - ii. Additional information that we may request from management for the purpose of the audit; and
 - iii. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
- d. For including the auditor's report in any document containing basic financial statements that indicates that such basic financial statements have been audited by the entity's auditor;
- e. For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities;
- f. For adjusting the basic 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 basic financial statements as a whole; and
- g. For acceptance of nonattest services, including identifying the proper party to oversee nonattest work;
- h. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets.
- i. For informing us of any known or suspected fraud affecting the entity involving management, employees with significant role in internal control and others where fraud could have a material effect on the financials; and
- j. For the accuracy and completeness of all information provided.
- k. For compliance with Florida Statutes 163.371 Reporting Requirements.

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 basic financial statements, or if the supplementary information will not be presented with the audited basic financial statements, to make the audited basic 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.

As part of our audit process, we will request from management written confirmation concerning representations made to us in connection with the audit.

With respect to any nonattest services we perform, such as drafting financial statements, calculating depreciation, and proposing adjusting journal entries to be reviewed and approved by management, the City of Fruitland Park Community Redevelopment Agency'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.

We will not assume management responsibilities on behalf of City of Fruitland Park Community Redevelopment Agency. However, we will provide advice and recommendations to assist management of City of Fruitland Park Community Redevelopment Agency in performing its responsibilities.

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.

This engagement is limited to the services previously outlined. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries

Reporting

We will issue a written report upon completion of our audit of the *City of Fruitland Park Community Redevelopment Agency's* basic financial statements. Our report will be addressed to the governing body of *City of Fruitland Park Community Redevelopment Agency*. 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 will not be an objective of the audit and, therefore, no such opinion will be expressed. As required by Chapter 10.550, Rules of the Auditor General, we will also include our report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315 regarding compliance with Florida Statutes Section 218.415, and Florida Statutes Sections 163.387(6) and (7).

Other

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 basic 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.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Provisions of Engagement Administration, Timing and Fees

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

We expect to begin our audit in March 2021 and to issue our reports no later than June 30, 2021.

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

Our fee for these services described in this letter will be as follows, inclusive of all costs and out-of-pocket expenses, unless the scope of the engagement is changed, the assistance that City of Fruitland Park Community Redevelopment Agency has agreed to furnish is not provided, or unexpected conditions are encountered, in which case we will discuss the situation with you before proceeding. The audit fee for the fiscal year ended September 30, 2020 will be \$5,000.

Whenever possible, we will attempt to use the City of Fruitland Park Community Redevelopment Agency's personnel to assist in the preparation of schedules and analyses of accounts. This effort could substantially reduce our time requirements and facilitate the timely conclusion of the audit. Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

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.

You agree to inform us of facts that may affect the basic 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.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

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.

The audit documentation for this engagement is the property of McDirmit Davis and constitutes confidential information. However, we may be requested to make certain audit documentation available to regulators 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's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to regulators. The regulators may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

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 basic 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

McDirmit Davis, LLC

RESPONSE:

This letter correctly sets forth our understanding.

City of Fruitland Park Community Redevelopment Agency

Acknowledged and agreed on behalf of City of Fruitland Park Community Redevelopment Agency by:

Title: _____

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

ITEM TITLE: **Public Hearing - Ordinance 2021-001 CRA Redevelopment Plan Amendment and Extending Sunset Date**

For the Meeting of: December 17, 2020

Submitted by: City Attorney/City Manager

Date Submitted: December 11, 2020

Funds Required: \$91.16

Account Number: 01514 30492

Amount Required:

Balance Remaining:

Attachments: Proposed ordinance, advertisement receipt and proof of advertisement affidavit

Item Description: **Proposed Ordinance 2020-001 CRA Redevelopment Plan Amendment and Extending Sunset Date.**

Action to be Taken: **Recommend approval of proposed Ordinance 2021-001.**

Staff's Recommendation: Approval

Additional Comments: No

City Manager Review: Yes

Mayor Authorization: Yes

ORDINANCE 2021-001

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK REDEVELOPMENT PLAN TO INCLUDE ADDITIONAL PROJECTS AND EXTEND THE SUNSET DATE TO SEPTEMBER 30, 2055; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND SETTING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Part III, Florida Statutes authorizes local governments to designate areas as community redevelopment areas when certain conditions exist; and

WHEREAS, in March 1995 the City Commission approved Ordinance 95-001 which created the City of Fruitland Park Community Redevelopment Agency, and in Resolution 95-011 adopted findings of necessity; and

WHEREAS, the City Commission adopted a community redevelopment plan in Resolution 95-012; and

WHEREAS, in September 2006 the City Commission amended the CRA boundaries and updated the plan in Resolution 2006-022, and subsequently adopted an updated and amended redevelopment plan in Resolution 2016-029 on September 22, 2016; and

WHEREAS, in Resolution 2019-050 the City Commission extended the sunset of the CRA to September 30, 2055 and the City Commission desires to ratify the extension of the CRA for its maximum life to allow for projects in the CRA to be funded and completed; and

WHEREAS, the City Commission desires to adopt an updated community redevelopment plan addressing the redevelopment needs in the CRA to include new projects and adoption of a new community redevelopment plan is an appropriate means by which to address the needs, goals and objections of the CRA; and

WHEREAS, on December 17, 2020 at an advertised public meeting the CRA recommended approval of the City of Fruitland Park Redevelopment Plan 2020 to the City Commission as governing body of the City; and

WHEREAS, notification of the City of Fruitland Park Redevelopment Plan 2020 has been provided to the taxing authorities pursuant to Florida Statutes s. 163.346; and

WHEREAS, the City of Fruitland Park has advertised as required by law for a public hearing prior to adoption of this Ordinance by placing a legal advertisement in a newspaper of general circulation notifying the public of this Ordinance and of the public hearing to be held at 6:00 p.m. on January 28, 2021 at City Hall located at 506 West Berckman Street, Fruitland Park, Florida; and

WHEREAS, a duly noticed public hearing was conducted on such proposed amendments as advertised; and

WHEREAS, the City Commission of the City of Fruitland Park, Lake County, Florida hereby finds and declares that the adoption of this ordinance is necessary, appropriate, and in the public interest of the citizens of this community.

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

SECTION 1. Recitals. The recitals set forth above are hereby adopted as legislative findings of the City Commission of the City of Fruitland Park

SECTION 2. Adoption of Plan/Sunset Date. The City of Fruitland Park Redevelopment Plan dated December 2020 attached hereto and incorporated herein is hereby adopted and approved pursuant to Florida Statutes section 163.360. The sunset date of the CRA shall be September 30, 2055.

SECTION 3. Implementation. The City of Fruitland Park Community Redevelopment Agency, by and through the City Manager and/or designee, is hereby authorized and directed to take such actions as deemed necessary and appropriate in order to implement the provisions of this Ordinance and carry out the City of Fruitland Park Redevelopment Plan dated December 2020 (the “Plan”).

SECTION 4. Conflicting Ordinances. All ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict with this Ordinance are hereby repealed.

SECTION 5. Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective immediately upon adoption.

ADOPTED AND APPROVED this _____ day of _____, 2021, by the City Commission of the City of Fruitland Park, Florida.

CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA

CHRIS CHESHIRE, MAYOR

ATTEST:

ESTHER COULSON, CITY CLERK, MMC

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

Approved as to form:

Anita Geraci-Carver, City Attorney

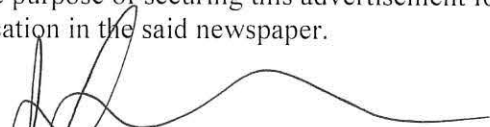
The Villages®
DAILY SUN

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

Before the undersigned authority personally appeared **Jackie Lancero**, who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a Legal #00977817 in the matter of **NOTICE OF ORDINANCE 2021-001 CRA SUNSET** was published in said newspaper in the issues of

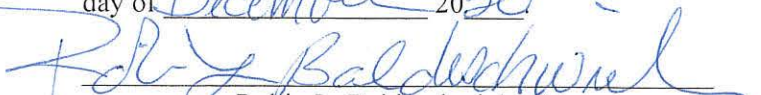
DECEMBER 2, 2020

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for Publication in the said newspaper.

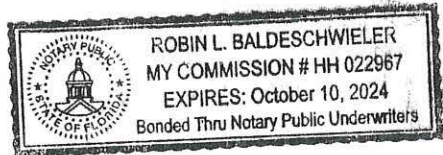


(Signature Of Affiant)

Sworn to and subscribed before me this 2
day of December 2020


Robin L. Baldeschwieler, Notary

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



Attach Notice Here:

ORDINANCE 2021-001

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK REDEVELOPMENT PLAN TO INCLUDE ADDITIONAL PROJECTS AND EXTEND THE SUNSET DATE TO 2055; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND SETTING FOR AN EFFECTIVE DATE.

This ordinance will be presented for public hearing by the City of Fruitland Park Community Redevelopment Agency at its special meeting to be held on Thursday, December 17, 2020 at 6:00 p.m. in the commission chambers of city hall, 506 West Berckman Street, Fruitland Park, Florida 34731. This meeting is open to the public and hearings may be continued as determined by the commission from time to time to a time certain This ordinance may be reviewed or copies of same obtained from the city clerk's office at city hall.

Anyone requiring special accommodations at this meeting because of disability or physical impairment should contact the city clerk's office at city hall (352) 360-6727 at least at least forty-eight (48) hours prior to the hearing. (Florida Statutes 286.26). Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made by the Community Redevelopment Agency with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (Florida Statutes 286.0105)

#977817 December 2, 2020

Advertising Invoice

The Villages Daily Sun

1100 Main St.
The Villages, FL 32159

Phone: (352)753-1119

Fax: (352)751-7999

URL: <http://www.thevillagesdailysun.com>

PEGGY
CITY OF FRUITLAND PARK
506 W BERKMAN STREET
FRUITLAND PARK, FL 34731

Acct #: 90105387
Phone: (352)360-6727
Date: 12/1/2020
Ad #: 00977817
Salesperson: 13 Ad Taker: 13

Class: 0100

Description	Start	Stop	Ins.	Cost/Day	Extras	Amount
ORDINANCE 2021-001 AN	12/2/2020	12/2/2020	1	73.14	0.00	73.14

Ad Text:

ORDINANCE 2021-001

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK REDEVELOPMENT PLAN TO INCLUDE ADDITIONAL PROJECTS AND EXTEND THE SUNSET DATE TO 2055; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND SETTING FOR AN EFFECTIVE DATE.

This ordinance will be presented for public hearing by the City of Fruitland Park Community Redevelopment Agency at its special

Payment Reference:

Total:	73.14
Tax:	0.00
Net:	73.14
Prepaid:	0.00

Total Due 73.14

CITY OF FRUITLAND PARK
CRA SPECIAL AGENDA ITEM SUMMARY SHEET
Item Number: 7

ITEM TITLE:	Public Comments
For the Meeting of:	December 17, 2020
Submitted by:	City Clerk
Date Submitted:	December 11, 2020
Funds Required:	None
Account Number:	N/A
Amount Required:	N/A
Balance Remaining:	N/A
Attachments:	Yes, Resolution 2013-023, Public Participation Policy and Chapter 286 Florida Statutes

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

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

Action to be Taken: **None**

Staff’s Recommendation: N/A

Additional Comments: N/A

City Manager Review: Yes

Mayor Authorization: Yes

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

Select Year:

The 2019 Florida Statutes

[Title XIX](#)[Chapter 286](#)[View Entire Chapter](#)

PUBLIC BUSINESS

PUBLIC BUSINESS: MISCELLANEOUS PROVISIONS

286.0114 Public meetings; reasonable opportunity to be heard; attorney fees.—

(1) For purposes of this section, “board or commission” means a board or commission of any state agency or authority or of any agency or authority of a county, municipal corporation, or political subdivision.

(2) Members of the public shall be given a reasonable opportunity to be heard on a proposition before a board or commission. The opportunity to be heard need not occur at the same meeting at which the board or commission takes official action on the proposition if the opportunity occurs at a meeting that is during the decisionmaking process and is within reasonable proximity in time before the meeting at which the board or commission takes the official action. This section does not prohibit a board or commission from maintaining orderly conduct or proper decorum in a public meeting. The opportunity to be heard is subject to rules or policies adopted by the board or commission, as provided in subsection (4).

(3) The requirements in subsection (2) do not apply to:

(a) 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;

(b) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;

(c) A meeting that is exempt from s. [286.011](#); or

(d) A meeting during which the board or 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.

(4) Rules or policies of a board or commission which govern the opportunity to be heard are limited to those that:

(a) Provide guidelines regarding the amount of time an individual has to address the board or commission;

(b) Prescribe procedures for allowing representatives of groups or factions on a proposition to address the board or commission, rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard;

(c) Prescribe procedures or forms for an individual to use in order to inform the board or commission of a desire to be heard; to indicate his or her support, opposition, or neutrality on a proposition; and to indicate his or her designation of a representative to speak for him or her or his or her group on a proposition if he or she so chooses; or

(d) Designate a specified period of time for public comment.

(5) If a board or commission adopts rules or policies in compliance with this section and follows such rules or policies when providing an opportunity for members of the public to be heard, the board or commission is deemed to be acting in compliance with this section.

(6) A circuit court has jurisdiction to issue an injunction for the purpose of enforcing this section upon the filing of an application for such injunction by a citizen of this state.

(7)(a) Whenever an action is filed against a board or commission to enforce this section, the court shall assess reasonable attorney fees against such board or commission if the court determines that the defendant to such action acted in violation of this section. The court may assess reasonable attorney fees against the individual filing such an

action if the court finds that the action was filed in bad faith or was frivolous. This paragraph does not apply to a state attorney or his or her duly authorized assistants or an officer charged with enforcing this section.

(b) Whenever a board or commission appeals a court order that has found the board or commission to have violated this section, and such order is affirmed, the court shall assess reasonable attorney fees for the appeal against such board or commission.

(8) An action taken by a board or commission which is found to be in violation of this section is not void as a result of that violation.

History.—s. 1, ch. 2013-227.

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