

**FRUITLAND PARK CITY COMMISSION  
COMMUNITY REDEVELOPMENT AGENCY  
MEETING AGENDA  
November 10, 2022**

City Hall Commission Chambers  
506 W. Berckman Street  
Fruitland Park, Florida 34731  
**On or before 6:45 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. APPROVAL OF MINUTES** (city clerk)

October 13 CRA workshop and September 22, 2022 CRA regular meeting minutes.

**4. AV AUDIO SYSTEM - COMMUNITY CENTER QUOTES** (city manager/parks and recreation director)

Motion to consider the itemized quotes for the installation of an audio system to include speakers, main panel control system, microphones, amplifiers:

- Control Freak - \$45,711.82
- Casaplex - \$57,142.07

**5. CRA 2023 MEETING SCHEDULE** (city clerk)

Discuss tentative dates and times of CRA future meetings.

**6. PUBLIC COMMENTS** (city clerk)

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.

**7. UNFINISHED BUSINESS**

**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  
CRA AGENDA ITEM SUMMARY SHEET  
Item Number: 3**

**ITEM TITLE:** Draft CRA Meeting Minutes

**MEETING DATE:** Thursday, November 10, 2022

**DATE SUBMITTED:** Monday, October 31, 2022

**SUBMITTED BY:** City Clerk

**BRIEF NARRATIVE:** CRA Meeting Minutes - October 13, 2022 workshop and September 22 regular.

**FUNDS REQUIRED:** None

**ATTACHMENTS:** Draft meeting minutes

**RECOMMENDATION:** Approval, if there are no corrections.

**ACTION:** Approval.

**FRUITLAND PARK COMMUNITY REDEVELOPMENT AGENCY  
DRAFT WORKSHOP MEETING MINUTES  
October 13, 2022**

A Community Redevelopment Agency workshop meeting was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, October 13, 2022 at 5:00 p.m.

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

**Also present:** City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Mr. Ryan Solstice, LPG Urban Regional Planners Inc. (consultant retained by the city); Deputy Finance Director Gary Bachman; Deputy City Clerk Candice Dennis, and City Clerk Esther B. Coulson.

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Cheshire called the meeting to order.

**2. ROLL CALL**

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

**By unanimous consent, the CRA agreed with Mayor Cheshire's suggestion to set the time in which to conclude this evening's workshop at 5:50 p.m.**

**3. CRA Redevelopment Plan Design Standards**

Mr. La Venia addressed the plan to review the community redevelopment agency redevelopment plan design standards primarily for the downtown district on Beckman Street; the immediate business district concerns on US Highway 27/441 and CR 466A as well as the CR 25A corridor and take a position on the commercial district fronting the roadway with residential zoning districts behind.

Following lengthy discussions and in response to Mayor Cheshire's reference to the conceptual site plan for Timbertop Lane to be considered later at this evening's city commission meeting, Ms. Geraci-Carver addressed the need for landscape and lighting to comply with the current land development code (LDC) and cited the landscaping/buffers provisions from the proposed amended master development agreement to read: ". . . *Landscaping shall also be provided around commercial building areas, a minimum of five (5) foot landscape buffer around the building perimeter on all sides visible to the general public. . . .*" and Mr. Solstice described the dimensions of said property's perimeter on CR 466A.

Subsequent to extensive discussion, **the CRA, upon the suggestion of Mayor Cheshire and Commissioner DeGrave, directed staff and the city attorney, for the next CRA workshop to:**

- **prepare stringent draft language on residential design standards and landscape and lighting for inclusion in the land development code;**
- **provide provisions on the options outlined in the master development agreement on building materials and dimensions of the exterior, as previously cited by the city attorney;**
- **draft a layer over the existing City of Fruitland Park's Official Zoning Map showing an analysis of permitted densities of current apartment complexes or units (workforce housing and adult congregate living facilities); their clusters and areas of proximity as compared with approved master development agreements and planned unit developments, and**
- **report back on the Community-Based Residential Facilities zoning provisions.**

**4. ADJOURNMENT**

**By unanimous consent, the meeting adjourned at 5:55 p.m.**

Signed  
\_\_\_\_\_  
Esther B. Coulson, City Clerk, MMC

Signed  
\_\_\_\_\_  
Chris Cheshire, Mayor

**FRUITLAND PARK COMMUNITY REDEVELOPMENT AGENCY  
DRAFT MEETING MINUTES  
September 22, 2022**

A Community Redevelopment Agency regular meeting was held at 506 West Berckman Street, Fruitland Park, Florida 34731 on Thursday, September 22, 2022 at 6:30 p.m.

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

**Member Absent:** Commissioner Chris Bell.

**Also present:** City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce, Officer Anthony Buehler, Police Department; Mr. Michael “Mike” Rankin, LPG Urban Regional Planners Inc. (consultant retained by the city) and Interim Community Development Director; Deputy Finance Director Gary Bachman; Deputy City Clerk Candice Dennis, and City Clerk Esther B. Coulson.

**1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Cheshire called the meeting to order.

ACTION: 6:24.50 p.m. No action was taken.

**2. ROLL CALL**

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

ACTION: 6:25:02 p.m. **By unanimous consent, the Community Redevelopment Agency excused the absence of Commissioner Bell at this evening’s meeting.**

**3. APPROVAL OF MINUTES**

The CRA considered its action to approve the July 14, 2022 CRA meeting minutes,

ACTION: 6:25:17 p.m. **On motion made by Commissioner Mobilian, seconded by Commissioner DeGrave and unanimously carried, the CRA approved the minutes as previously cited.**

**4. GARDENIA PARK COMPLEX SWIMMING POOL HOUSE AND CALES MEMORIAL ATHLETIC COMPLEX CONCESSION STAND - ROOF QUOTES**

The CRA considered its action on staff’s recommendation to select and award a bid to one of the following vendors to replace the current shingle roof with new metal roof at the swimming pool house located at Gardenia Park and concession stand at Cales Memorial Athletic Complex:

- Covenant Roofing & Construction Inc.		
\$53,514.00	\$44,234.00	\$ 9,280.00

- Randall Construction & Roofing			
\$37,439.34	\$19,011.68		\$56,451.02
- Salt Roofing			
\$47,250.00	\$ 9,750.00		\$57,000.00

After discussion, Ms. Yoder gave reasons why she recommends awarding the bid to Covenant Roofing & Construction Inc.

**ACTION: 6:25:17 p.m. On motion of Commissioner DeGrave, seconded by Vice Mayor Gunter and unanimously carried, the CRA approved staff's recommendation to award the bid for the above-captioned project to Covenant Roofing & Construction Inc. for \$53,514.**

**5. CRA REDEVELOPMENT PLAN STATUS UPDATE**

The city commission discussed the status of CRA redevelopment plan design standards for the downtown district.

**ACTION: 6:28:04 p.m. After discussion and by unanimous consent, the CRA accepted the city manager's recommendation to hold workshops on the CRA Redevelopment Plan on October 13, 2022 and November 10, 2022 both at 5:00 p.m.**

**6. PUBLIC COMMENTS**

No one came before the CRA at this time.

**ACTION: 6:29:48 p.m. No action was taken.**

**7. UNFINISHED BUSINESS**

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

**ACTION: 6:30:15 p.m. No action was taken.**

**8. ADJOURNMENT**

**By unanimous consent, the meeting adjourned at 6:30 p.m.**

Signed  
\_\_\_\_\_  
Esther B. Coulson, City Clerk, MMC

Signed  
\_\_\_\_\_  
Chris Cheshire, Mayor

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

**ITEM TITLE:** AV Audio System – Community Center Quotes

**MEETING DATE:** Thursday, November 10, 2022

**DATE SUBMITTED:** Thursday, November 3, 2022

**SUBMITTED BY:** City Manager/Parks and Recreation Director

**BRIEF NARRATIVE:** **Itemized Quotes** for the installation of an audio system to include speakers, main panel control system, microphones, amplifiers:

- Control Freak - \$45,711.82
- Casaplex - \$57,142.07

**FUNDS REQUIRED:** \$45,711.82 (20511-60636)

**ATTACHMENTS:** Quotes

**RECOMMENDATION:** Both systems are compatible. Approve Control Freak as they are located locally in Orlando, Florida.

**ACTION:** **Approve the award to the lowest, responsive and responsible bidder Control Freak.**



# INVOICE

**BILL TO**

Michelle Yoder  
Fruitland Park - Parks and  
Recreation  
205 W Berkman Street  
Fruitland Park, FL 34731

**SHIP TO**

Michelle Yoder  
Fruitland Park - Parks and  
Recreation  
205 W Berkman Street  
Fruitland Park, FL 34731

**INVOICE #** 1282

**DATE** 10/04/2022

**DUE DATE** 11/03/2022

**TERMS** Net 30

**SALESPERSON**

Eric Machuca

**TERMS**

60% down 40% on completion

**ROOM**

Events Hall/ Ballroom

ACTIVITY	QTY	RATE	AMOUNT
<b>CRESTRON RMC 4</b> 4-Series™ Control System	1	770.00	770.00T
<b>CRESTRON TSW-770W-S</b> 7 in. Room Scheduling Touch Screen, White Smooth	1	970.00	970.00T
<b>CRESTRON DSP-1281</b> Crestron Avia™ 12x8 Digital Signal Processor w/Dante®™	1	2,300.00	2,300.00T
<b>NETGEAR GS724TV4</b> NETGEAR 24P GE SMART MANAGED PRO SWITCH	1	387.89	387.89T
<b>AUTONOMIC AU-MMS-1E</b> eSeries Music Streamer	1	749.00	749.00T
<b>RDL DD-BN2ML</b> Wall-Mounted Bi-Directional Line-Level and Bluetooth® Audio Dante Interface	1	653.98	653.98T
<b>SHURE ULX-D4 H50</b> SINGLE DIGITAL WIRELESS RECEIVER WITH PS41US POWER SUPPLY, 1/2 WAVE ANTENNA AND RACK MOUNTING HARDWARE 1/2 WAVE ANTENNA AND RACK MOUNTING HARDWARE	2	1,040.00	2,080.00T
<b>SHURE ULX-D2/B58 H50</b> ULX-D DIGITAL WIRELESS HANDHELD TRANSMITTER WITH BETA 58A® MICROPHONE / HANDHELD MIC COMPONENT	2	650.00	1,300.00T
<b>SHURE ULX-D1 H50</b> DIGITAL WIRELESS BODYPACK TRANSMITTER WITH MINIATURE 4-PIN CONNECTOR H50 (534.000 – 597.925 MHZ)	2	525.00	1,050.00T
<b>SHURE WL185</b> MICROFLEX® CARDIOID LAVALIER MICROPHONE	2	135.00	270.00T
<b>SHURE UA221</b> PASSIVE ANTENNA SPLITTER/COMBINER KIT-INCLUDES 2 SPLITTER/COMBINERS, 4 COAXIAL CABLES, & HARDWARE	2	232.00	464.00T
<b>SHURE UA BIAST</b> IN-LINE ADAPTER. SUPPLIES 12V DC BIAS POWER OVER COAXIAL BNC CABLE, INCLUDES PS23US	2	125.00	250.00T
<b>SHURE UA834WB</b>	6	250.00	1,500.00T

ACTIVITY	QTY	RATE	AMOUNT
IN-LINE ANTENNA AMP FOR REMOTE MOUNTING / COMPENSATES FOR INSERTION LOSS IN COAX CABLE (470-902 MHZ)			
<b>SHURE UA864</b> LOW PROFILE WALL- OR CEILING-MOUNTED WIDEBAND ANTENNA / WORKS WITH ULXD, UHFR, ULX, AND AXIENT	4	585.00	2,340.00T
<b>SHURE UA8100</b> 100' UHF REMOTE ANTENNA EXTENSION CABLE, BNC-BNC, RG213/U TYPE	4	358.00	1,432.00T
<b>SHURE UA850</b> 50' UHF REMOTE ANTENNA EXTENSION CABLE, BNC-BNC, RG8X/U TYPE, 50 OHM	2	146.00	292.00T
<b>CROWN DCI 2/600</b> 2CH POWER AMPLIFIER 600W @ 4OHM WITH BLU LINK, 70V 100V	1	1,995.00	1,995.00T
<b>EPISODE ECA-70VMINI-60W</b> 70V Digital Amplifier   60W x 1 Channel	1	500.00	500.00T
<b>TANNOY CVS8</b> Tannoy CVS 8 Coaxial In-Ceiling Loudspeaker (Pair, 8", White)	11	500.00	5,500.00T
<b>WATTBOX WB-800CH1U-IPVM-8</b> 1U Integrated Faceplate IP Power Conditioner   8 Individually Metered and Controlled Outlets	1	849.95	849.95T
<b>CYBER POWER CPS1220RM</b> Basic PDU, 120V/15A, 12 Outlets, 15ft Power Cord, 1U Rackmount with surge protection	1	115.00	115.00T
<b>STRONG SR-FS-SYSTEM-DC-27U</b> Strong® FS Series Rack System with DC Fans	1	1,060.00	1,060.00T
<b>MIDDLE ATLANTIC D4</b> Heavy-Duty Rack Drawer	1	290.00	290.00T
<b>MIDDLE ATLANTIC LT-GN-PNL</b> 1RU Space, Dual Gooseneck Light with Rackmount Panel	1	135.00	135.00T
<b>MIDDLE ATLANTIC EB1-CP12</b> 1 RU Blank Rack Panel, Steel & Flanged - 12 Piece Contractor Pack	1	135.00	135.00T
<b>GENESIS 63612108</b> CAT 6 UTP CMP 1000' BLACK	2	499.00	998.00T
<b>WEST PENN 25225B</b> 1000' 1P 16G STRD UNSHLD PLENII	2	345.00	690.00T
<b>WEST PENN 25291BBK1000</b> 1000' 1P 20G STRD SHLD PLEN II	1	185.00	185.00T
<b>Miscellaneous</b> Cable, connectors and hardware	1	1,550.00	1,550.00T
<b>Professional Installation Services</b> Professional Installation Services - Installation of Event Hall/ Ballroom AV System - Phase 1	100	95.00	9,500.00
<b>Professional Engineering /Drafting</b> Professional Engineering and Drafting Services	20	125.00	2,500.00
<b>Professional Programming Services</b> Professional Programming Services	20	145.00	2,900.00

60% Deposit = \$27,493.09  
40% Upon completion = \$18,328.73

SUBTOTAL	45,711.82
TAX (0%)	0.00
TOTAL	45,711.82

\*All necessary high voltage electrical work to be done is the responsibility of the client and should be performed by a licensed electrician

BALANCE DUE

**\$45,711.82**

\*Client is to provide an adequate scissor lift to complete the project. Any equipment rental is not reflected on the estimate and shall be added to the final invoice if necessary.

\*Shipping not included. Any shipping cost incurred will be invoiced to the customer post delivery and installation.

PRICES SUBJECT TO CHANGE- PRICES BASED UPON TOTAL PURCHASE-GENERALLY ALL HARDWARE COMPONENTS PROPOSED ABOVE ARE COVERED BY A LIMITED ONE YEAR WARRANTY, COVERING PARTS AND LABOR. PROGRAMMING IS COVERED BY A NINETY DAY WARRANTY. WE SHALL NOT BE RELIABLE FOR ANY LOSS OF PROFITS, BUSINESS, GOODWILL, DATA, INTERRUPTION OF BUSINESS, NOR FOR INCIDENTAL OR CONSEQUENTIAL MERCHANTABILITY OR FITNESS OF PURPOSE, DAMAGES RELATED TO THIS AGREEMENT. MINIMUM 15% RESTOCKING FEE WITH THE ORIGINAL PACKAGING.



CASAPLEX LLC  
 10582 METROPOLITAN AVE  
 KENSINGTON, MD 20895  
 2025586519

**QUOTATION** 26942

DATE **October 18, 2022**  
 EXIPRY DATE  
 SALES REP **JMERCER**

**QUOTATION NAME: NEW QUOTE - AV**

**CLIENT DETAILS**

**Fruitland Park & Recreation**  
**205 W Berkman Street**  
**Fruitland Park, FL 34731**

**CONTACT**

**Walter Birriel (703) 552 1225**

**JOB LOCATION**

**Fruitland Park & Recreation**  
**205 W Berkman Street**  
**Fruitland Park, FL 34731**

**CONTACT**

**Walter Birriel (703) 552 1225**

**SCOPE:**





CASAPLEX LLC  
10582 METROPOLITAN AVE  
KENSINGTON, MD 20895  
2025586519

**QUOTATION** 26942

DATE October 18, 2022  
EXIPRY DATE  
SALES REP JMERCER

(1) 4-Series? Control System	\$924.06
(1) 7 in. Room Scheduling Touch Screen,White Smooth	\$1,165.82
(1) TesiraFORT CIfixed I/O DSP with 12 analog inputs, 8 analog outputs, 8 channels configurable USB aud	\$4,440.00
(1) NETGEAR 24P GE SMART MANAGED PRO SWITCH	\$465.47
(1) MMS-1e Single-source*, Hi-Res Mirage Music Streamer	\$898.80
(1) Wall-Mounted Bi-Directional Line-Level and Bluetooth® Audio Dante Interface	\$784.78
(2) Single Digital Wireless Receiver with PS41US Power Supply, 1/2 Wave Antenna and Rack Mounting Hardwa	\$2,496.00
(2) Handheld Transmitter with BETA 58A Microphone	\$1,560.00
(2) Digital Wireless Bodypack Transmitter with Miniature 4-Pin Connector	\$1,260.00
(2) Microflex Cardioid Lavalier Microphone	\$324.00
(2) Passive Antenna Splitter/Combiner Kit. Includes Two Splitter/Combiners, Four Coaxial Cables, and Att	\$556.80
(2) In-line adapter. Supplies 12V DC bias power over coaxial BNC cable, includes PS23US	\$300.00
(6) In-line antenna amplifier for remote mounting. (470-902 MHz)	\$1,800.00
(4) Wall-Mounted Wideband Antenna	\$2,808.00
(4) 100' UHF Remote Antenna Extension Cable, BNC-BNC, RG213/U Type	\$1,718.40
(2) 50' UHF Remote Antenna Extension Cable, BNC-BNC, RG8X/U Type	\$350.40
(1) Two-channel, 600W @ 4 Analog Power Amplifier, 70V/100V	\$2,394.00
(1) Episode 70V Digital Amplifier, 60W with IR & RS232	\$600.00
(11) Tannoy CVS 8 Coaxial In-Ceiling Loudspeaker (Pair, 8", White)	\$6,600.00
(1) WattBox 1U Integrated Faceplate IP Power Conditioner   8 Individually Metered and Controlled Outlet	\$1,019.94
(1) Basic PDU, 120V/15A, 12 Outlets, 15ft Power Cord, 1U Rackmount with surge protection	\$138.00
(1) Strong? FS Series Rack System with DC Fans - 24 Depth   27U	\$1,272.00
(1) 4SP ANODIZED DRAWER	\$348.00
(1) 1SP,DUAL LED LIGHT PANEL	\$155.00
(1) 12PC. EB1 CONTRACT PACK	\$155.00
(2) 23/4PR CT6 CMP SPNLS 1M RBX BLACK	\$1,197.60
(2) 1000' 1P 16G STRD UNSHLD PLENII	\$828.00
(1) 1000' 1P 20G STRD SHLD PLEN II	\$222.00
(1) Misc Materials - Wire, Wire Management, Connectors, Plates, Inserts, Interconnects	\$1,860.00
(100) Installation Services	\$12,000.00
(20) Design Services	\$3,000.00
(20) Programming Services	\$3,500.00

**TOTAL:** \$57,142.07

**TOTAL:** \$57,142.07



CASAPLEX LLC  
10582 METROPOLITAN AVE  
KENSINGTON, MD 20895  
2025586519

**QUOTATION** 26942

DATE **October 18, 2022**  
EXIPRY DATE  
SALES REP **JMERCER**

PRICES VALID FOR 30 DAYS

*Signature* *Walter Birriel* *Date*

<b>SUBTOTAL:</b>	<b>\$57,142.07</b>
<b>TAX:</b>	<b>\$2,704.95</b>
<b>TOTAL:</b>	<b>\$59,847.02</b>

COMMENTS

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

**ITEM TITLE:** 2023 CRA Meeting Schedule

**MEETING DATE:** Thursday, November 10, 2022

**DATE SUBMITTED:** Monday, October 31, 2022

**SUBMITTED BY:** City Clerk

**BRIEF NARRATIVE:** 2023 CRA Meeting Schedule Discuss tentative dates and times of CRA future meetings.

**FUNDS REQUIRED:**

**ATTACHMENTS:** Meeting schedule

**RECOMMENDATION:** Approval

**ACTION:** Approve the 2023 CRA Meeting Schedule.



**COMMUNITY REDEVELOPMENT AGENCY  
2023 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 due to special and/or workshops meetings, public hearings, national holidays, office closings, and other unforeseen circumstances such as emergencies:

January 12

April 13

September 14

December 14

Any person requiring a special accommodation at these meetings because of a disability or 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.)



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

**ITEM TITLE:** Public Comments

**MEETING DATE:** Thursday, November 10, 2022

**DATE SUBMITTED:** Monday, October 31, 2022

**SUBMITTED BY:** City Clerk

**BRIEF NARRATIVE:** 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 community redevelopment agency. 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.

**FUNDS REQUIRED:** None

**ATTACHMENTS:** Resolution 2013-023, Public Participation Policy and Chapter 286 Florida Statutes

**RECOMMENDATION:** None

**ACTION:** None

**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 2020 Florida Statutes

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[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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