

CITY OF CLEWISTON

CITY COMMISSION WORKSHOP/SPECIAL MEETING AGENDA

June 04, 2025 at 10:00 AM

City Hall Commission Chambers – 115 W Ventura Ave

Commission:

James Pittman, Mayor
Hilary Hyslope, Vice Mayor
Mila Gardner, Commissioner
Barbara Edmonds, Commissioner
Jason Williams II, Commissioner

Administration:

City Manager, Danny Williams
City Attorney, Dylan Brandenburg
City Clerk, Lakisha Burch, MSOL, MMC

Civility: Being "civil" is not a restraint on the First Amendment right to speak out, but it is more than just being polite. Civility is stating your opinions and beliefs, without degrading someone else in the process. Civility requires a person to respect other people's opinions and beliefs even if he or she strongly disagrees. It is finding a common ground for dialogue with others. It is being patient, graceful, and having a strong character. That is why we say "Character Counts" in the City of Clewiston. Civility is practiced at all City meetings.

Special Needs: In accordance with the provisions of the American with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall within three business days prior to any proceeding, City Hall is wheelchair accessible and accessible parking spaces are available. Please contact the City Clerk's office at (863) 983-1484, extension 105, or email lakisha.burch@clewiston-fl.gov for information or assistance.

Quasi-Judicial Hearings: Some of the matters on the agenda may be "quasi-judicial" in nature. City Commission Members are required to disclose all ex-parte communications regarding these items and are subject to voir dire (a preliminary examination of a witness or a juror by a judge or council) by any affected party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment, without being sworn. An unsworn comment will be given its appropriate weight by the City Commission.

Appeal of Decision: If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, he or she will need a record of the proceeding, and for that purpose, may need to ensure that a verbatim record of the proceeding is made, which record includes any testimony and evidence upon which the appeal will be based.

Consent Calendar: Those matters included under the Consent Calendar are typically self-explanatory, noncontroversial, and are not expected to require review or discussion. All items will be enacted by a single motion. If discussion on an item is desired, any City Commission Member, without a motion, may "pull" or remove the item to be considered separately. If any item is quasi-judicial, it may be removed from the Consent Calendar to be heard separately, by a City Commission Member, or by any member of the public desiring it to be heard, without a motion.

CITY COMMISSIONER AGENDA ITEMS:

CALL TO ORDER

PRAYER AND PLEDGE OF ALLEGIANCE

ROLL CALL

ADDITIONS, DELETIONS, MODIFICATIONS

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Public Comments for all meetings may be received by email, or in writing to the City Clerk's Office until 3:00 PM on the day of the meeting. Comments will be "received and filed" to be acknowledged as part of the official public record of the meeting. City Commission meetings are livestreamed and close-captioned for the general public via our website, instructions are posted there.

DISCUSSION

1. Discussion and direction on Municipal Legal Services
2. Discuss and direct staff on how to proceed regarding the Ventura Avenue Project.
3. Discuss and direct staff on how to proceed regarding the Hendry County Emergency Services Council.
4. Discuss and direct staff on how to proceed regarding the City of Clewiston's Comprehensive Plan.
5. Discuss and direct staff on how to proceed regarding the Downtown District.
6. Discuss and direct staff on how to proceed regarding the Commercial Module Units.
7. Discuss and direct staff on how to proceed regarding the Sheds and its Usage.
8. Discuss and direct staff on how to proceed regarding Recreation Vehicles on Private property.

CITY STAFF COMMENTS

City Manager

City Attorney

CITY COMMISSION COMMENTS

Commissioner Barbara Edmonds

Commissioner Mila Gardner

Commissioner James Williams II

Vice Mayor Hilary Hyslope

Mayor James Pittman

ADJOURNMENT

Comment Cards: Anyone from the public wishing to address the City Commission, it is requested that you complete a Comment Card before speaking. Please fill it out completely with your full name and address so that your comments can be entered correctly in the minutes and given to the City Clerk. During the agenda item portion of the meeting, you may only address the item on the agenda being discussed at the time of your comment. During public comments, you may address any item you desire. Please remember that there is a three (3) minute time limit on all public comments. Any person who decides to appeal any decision of the Council with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which included testimony and evidence upon which the appeal is to be based. Persons with disabilities requiring

accommodation in order to participate should contact the City Clerk's Office (863-983-1484), at least 48 hours in advance to request such accommodation.



Agenda Item #

Agenda Item Memorandum

TO: City Commission of the City of Clewiston

FROM: Lakisha Burch, City Clerk

VIA: Danny Williams, City Manager

DATE: June 4, 2025

SUBJECT: Discussion and direction on Municipal Legal Services

Background:

At the April 21, 2025, City Commission Regular Meeting, the commission directed staff to solicit letters of interest for providing municipal services. On April 23, 2025, or soon after, a Request for Letters of Interest (RLI) for Municipal Legal Services for the City of Clewiston were advertised on the City Website, advertised in the News-Press, which is in Fort Myers, serving primarily Lee County as well as Hendry, Collier, and Charlotte Counties. Two submittals were received by 5:00 p.m. on May 7, 2025:

- Davis and Associates
- GrayRobinson

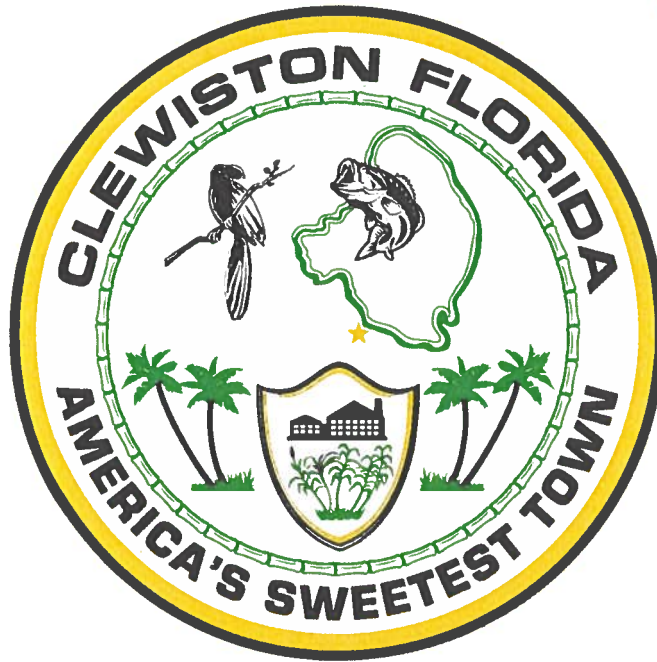
On May 19, 2025, the City Commission Regular Meeting, the commission asked that item be placed on the agenda to be discussed on June 4, 2025, City Commission Workshop/Special Meeting so that all the commission will have an opportunity to have an input in the discussion.

Recommendations:

Upon selection of the attorney/law firm, staff recommend that Commission direct City Manager and current City Attorney prepare an agreement for municipal legal services including specific direction on fee structure for selected attorney to be approved at the beginning of June 16, 2025, Commission meeting.

COPY

Item # 1.



City of Clewiston, FL

Letter of Interest for Municipal Legal Services

May 7, 2025

Prepared By:



CITY OF CLEWISTON
FINANCE DEPARTMENT

MAY 05 2025

RECEIVED



LETTER OF TRANSMITTAL

TO: Lakisha Q. Burch, City Clerk, City of Clewiston
FROM: Keith W. Davis, Esq.
DATE: May 7, 2025
RE: Letter of Transmittal - Request for Letter of Interest Municipal Legal Services

Greetings, on behalf of Davis & Associates, P.A., I would like to formally express our interest in providing Municipal Legal Services for the City of Clewiston.

Davis & Associates, P.A. is a government law practice that currently represents a total of seven (7) municipal governments as well as the Palm Beach County League of Cities, Inc., the Treasure Coast Regional Planning Council, and the Florida Green Finance Authority. The Firm's attorneys also serve as Special Magistrates and Hearing Officers for a number of other municipal and county jurisdictions across the Gold Coast and Treasure Coast. We are perfectly positioned to deliver superior, timely, and cost-effective representation for whatever legal needs may arise for the City of Clewiston.

Firm attorney Dylan J. Brandenburg currently serves as General Counsel for the City of Clewiston and has held that position since June 23, 2022. As such, he is already intimately familiar with City's staff, operations, and current legal issues. Dylan became a Partner and Shareholder with Davis & Associates, P.A. in March 2025 and prior to that worked with the Firm in an of-counsel capacity for several years. By allowing Dylan, through the Firm with full support and back-up from the rest of the Firm's attorneys and support staff, to continue to serve Clewiston, the City will continue to enjoy the high quality legal representation it has come to expect over the years, only now with the additional support that will come from the 35 years of combined local government law experience that the Davis & Associates, P.A. legal team possesses.

The Firm as a whole is exceptionally familiar with the issues that arise in municipal operations: ethics for public officials; local government contracting, finance and procurement; personnel matters; land use and zoning law; elections law; code compliance; utilities; and intergovernmental relations. Our attorneys have experience



LETTER OF TRANSMITTAL

in each of the 28 categories of municipal legal services listed in the City's Request for Letters of Interest.

We are confident that our experience in these areas coupled with our ethos of establishing close collaborative relationships with our clients will ensure that the City's legal needs are met. If we can answer any questions or provide you with any further information, please do not hesitate to contact us.

Respectfully,



Keith W. Davis, President



LETTER OF TRANSMITTAL

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B. Profile of Offeror

i. Description of Organization

Davis & Associates, P.A. is prepared to perform all duties listed in the City of Clewiston Request for Letter of Interest for



Municipal Legal Services. Since local government and special district law is the primary focus of our practice, Davis & Associates, P.A. clients, whether governmental entities or citizens, receive the finest legal services available to them. All attorneys with the Firm are knowledgeable about Florida's Public Records and Sunshine Laws and regularly advise our clients on both. We routinely draft legal documents including contracts, interlocal agreements, ordinances, resolutions, leases, memoranda of understanding, etc.

OUR SPECIALTY IS ADVISING LOCAL GOVERNMENTS.

At Davis & Associates, P.A., we are extremely experienced in advising municipal governing bodies like the City. Though every local government is distinct and unique, all municipal clients share certain features with one another. All of our municipal clients are subject to Sunshine and Public Records Laws, have their own policies, standards operating procedures, enter into a variety of contractual agreements, navigate procurement issues, hire and fire staff, set utility rates and millage rates, and are subject to the same public financing and tax obligations. We regularly advise our municipal clients on all aspects of local government operations.

EXPERIENCE AND KNOWLEDGE IN ALL ASPECTS OF MUNICIPAL LAW.

Our attorneys are skilled in the Public Records and Sunshine Laws, public meetings and procedural operations, contract and document drafting, procurement, public utilities (three (3) of our municipal clients own and operate their own water and/or sewer facilities), environmental issues, legislative tracking, litigation, finance, interpreting various rules and regulations, and zoning and land use matters. The experience of Mr. Brandenburg, Ms. Barnard and Mr. Davis' experience in these areas is provided in detail below and is further expanded upon in the individual resumes that have been provided.

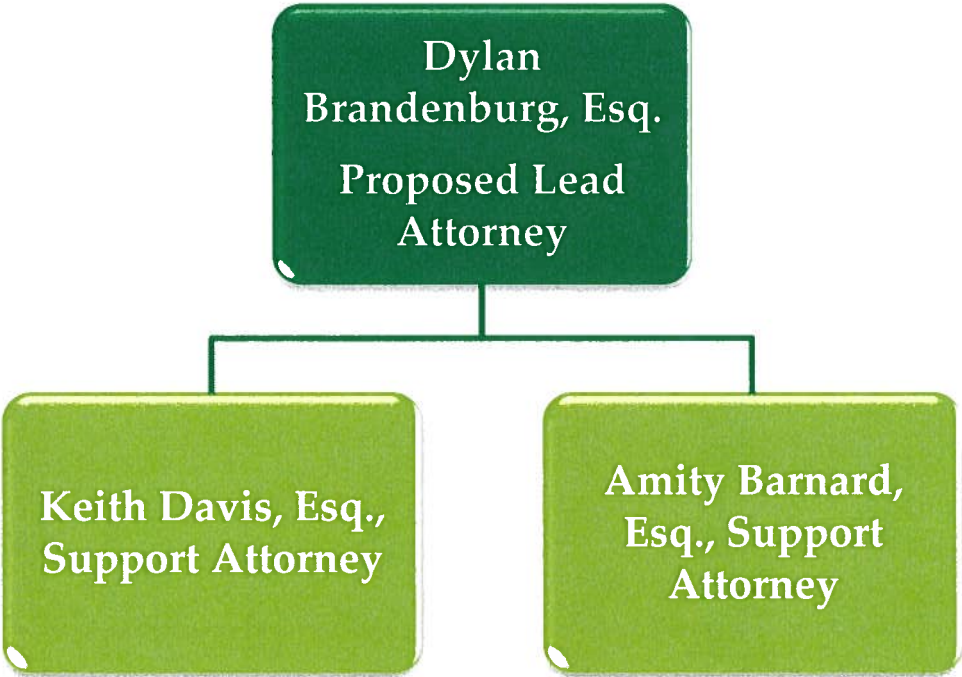
Our public clients expect the best customer service, and that is what Davis & Associates, P.A. provides. Firm attorneys carry smart phones and are accessible and always available. City personnel, consistent with the City's desired policy, can call Mr. Brandenburg, Mr. Davis or Ms. Barnard at any time and they will personally answer the phone, not an answering service or assistant. This high level of service is provided to all clients, and we welcome the opportunity to provide our high level of service to the City.

The attorneys of Davis & Associates, P.A. are knowledgeable on both the onboarding/hiring and separation/firing processes to ensure proper procedures are followed when the City finds personnel are unfit for the City’s projects. This extends to contract termination, starting with drafting terms in the contract that allow termination terms favorable to the City, to discussing the requirements of corrective measures, to contract termination.

We understand that the City’s business is very diverse. We are confident that the Firm’s attorneys are prepared to counsel and advise the City on all matters related to its various departments and further ranging from bond validations, contracting with state agencies (FDOT and others), permitting matters (FDEP, SFWMD and others), public hearings to adjust rates, fees and charges, and everything in between.

ii. Proposed Staffing

The organizational chart below depicts the Firm’s proposed structure for providing municipal legal services to the City.



Dylan J. Brandenburg, Esq. is proposed for appointment as the Lead City Attorney. Mr. Brandenburg has been serving as the City Attorney for nearly three (3) years since June 23, 2022. As Lead Attorney, Mr. Brandenburg is available to attend the City’s Workshops and Regular Board Meetings. Mr. Brandenburg is also available outside of the regular meeting times to attend meetings deemed necessary by the City and assist and provide counsel to the City at the City’s pleasure. Mr. Brandenburg is admitted to practice in all

Florida courts as well as the Federal Southern and Northern Districts of Florida, and the United States Supreme Court. For the Firm, Mr. Brandenburg also serves as Assistant General Counsel for the Village of Tequesta and Town of Palm Beach Shores.

Keith W. Davis, Esq. is Board certified by the Florida Bar as an expert in the area of City, County and Local Government Law. Mr. Davis currently represents the Village of Tequesta, City of Atlantis, Town of Manalapan, Town of Palm Beach Shores, Town of Briny Breezes and Village of Royal Palm Beach as General Counsel. Mr. Davis also serves as General Counsel for the Treasure Coast Regional Planning Council and Palm Beach County League of Cities, Inc. In addition to providing general counsel services to his clients, Mr. Davis is regularly retained as special counsel on a variety of issues. Mr. Davis has also been retained by the City of Port St. Lucie, Martin County, City of Lake Worth Beach, City of Pahokee, Village of Palm Springs and City of West Palm Beach to serve as special magistrate for code enforcement matters, including ADA / FHA related "reasonable accommodation" hearings.

Amity Barnard, Esq. is Board certified by the Florida Bar in the area of City, County and Local Government Law. Ms. Barnard is admitted to practice in all Florida courts as well as the Federal Southern District of Florida. Ms. Barnard currently serves as General Counsel for the Town of Mangonia Park and Florida Green Finance Authority. She also serves as Assistant General Counsel for the Village of Royal Palm Beach and Town of Palm Beach Shores. Ms. Barnard has also been retained by the City of West Palm Beach, Town of Loxahatchee Groves, Town of Ocean Ridge, Town of South Palm Beach and City of Greenacres to serve as special magistrate for code enforcement matters.

All of the Firm's attorneys are actively involved with the Florida League of Cities. Mr. Davis regularly serves on various Florida League of Cities Legislative Policy Committees, and currently serves as the President of the Florida Municipal Attorneys Association, having served as a Board Member for many years. We also pride ourselves on the fact that Mr. Davis and Ms. Barnard are both Board Certified experts in the area of City, County and Local Government Law by the Florida Bar. This certification is held by only 301 attorneys out of approximately 113,000 attorneys licensed to practice law in the State of Florida.

Resumes for each attorney, documentation indicating the active status of the Firm and proof of membership in good standing with the Florida Bar for each attorney are provided below.

iii. Firm Location

With regard to accessibility, Davis & Associates, P.A. is located in Palm Beach County at 701 Northpoint Parkway, Suite 205, West Palm Beach, Florida 33407. Our three (3) attorneys and two (2) staff personnel operate out of our West Palm Beach office and serve clients throughout St. Lucie, Martin and Palm Beach Counties.



Our attorneys and staff personnel reside from the Palm City area (Mr. Brandenburg and Mr. Davis) through Palm Beach Gardens (Ms. Barnard). These Attorneys and all assistant and support personnel will be accessible to the City at all times and will be available for any and all regular and special meetings, as well as for consultation and meetings with City staff as desired. The Firm is committed to providing the required resources necessary to respond to the City's assignments at all times.

Davis & Associates, P.A., is fully equipped with all necessary technology in order to provide our clients with efficient and superior legal services. The Firm utilizes "Westlaw" as its library and legal research support and, through that service, has access to the latest case law and legislation including United States Supreme Court cases, State and Federal legislation, Federal Court Cases, state court opinions, Attorney General Opinions, and administrative hearing reports and orders.

Our office is equipped with modern support technology and is capable of handling any requirements for reproducing and transmitting documents in technological formats compatible with the City's computer network. Our in-house computer network allows attorneys and staff to create original legal documents and transmit them as needed. The Firm's staff records documents, files interlocal agreements and court pleadings for litigation matters, obtains copies of documents unavailable by computer, and other similar tasks on a weekly basis. We deliver documents to our clients by hand delivery, overnight delivery, by email, or as otherwise necessary or desired.

The Firm, through its attorneys, is available to provide training on Sunshine Law, Public Records Law and Ethics to the City and its staff as part of the scope of services to be provided. Training may also be provided to subcontractors of the City if desired as it relates to such subcontractor's fulfillment of City obligations.

A listing of Florida counties, municipalities, and special taxing districts for which the Firm has provided legal services within the past three (3) years, including dates of service, is provided below.

iv. Local Government Experience

Davis & Associates, P.A., is highly regarded as a premier law firm. The Firm, founded in 1987, has a long history of working on local government issues throughout South Florida that has included interfacing with various levels of government and agencies including at the state, regional and local levels. The Firm has an exemplary reputation in managing matters for governmental public sector clients. Helping government decision-makers and staff navigate the process to successful conclusions is what we do.

The Firm's attorneys have significant experience in all areas of law affecting the City, including:

- **General Legal Counsel:** We represent small towns, larger cities, regional councils, a county-wide local government oriented corporation, and a state-wide separate legal entity (akin to a special district). We know how to advise each and every type of board and council, and the personnel that serve them. We are extremely proud that if asked, any and all of our clients will tell you that they are made to feel as though they are our only client. We are responsive with accurate advice, and our written work product is second to none.
- **Public Records and Sunshine Law:** These areas of the law are fundamental concepts through which we guide our clients on a daily basis. All of our attorneys work closely with municipal and district clerks and personnel to ensure that records are maintained according to applicable retention requirements and to ensure that requests to view public records are processed pursuant to state law. As an example, Mr. Davis recently handled a public records request for one of his clients on a very high profile matter regarding missing persons. Due to the volume of documents and public awareness of the matter, this was a complex review which ultimately resulted in a legal processing of the request. We also have strong working relationships with state experts in the Attorney General's Office regarding public records issues. Likewise, we advise elected and appointed officials on appropriate conduct in conformance with Sunshine Law requirements. We train the elected officials we represent annually, and also speak on these topics at various League of Cities sessions. Mr. Davis previously served as an expert witness on the topic of Sunshine Law compliance in a case involving allegations of legal malpractice in a municipality on the west coast of Florida.

PROFILE OF OFFEROR

- **Public Meetings and Procedural Operations:** Mr. Brandenburg, Mr. Davis and Ms. Barnard regularly sit on the dais for their municipal clients. We are exceptionally experienced in advising governing bodies on rules of procedure, order and decorum at public meetings. We also regularly counsel our clients on ethics issues to ensure compliance with Chapter 112, Florida Statutes and all reporting requirements therein. We assist the chair of every meeting we attend with the proper handling of public participation, processing action items through appropriate motions, and all other aspects of public meeting procedure. We are also very experienced in making sure that quasi-judicial proceedings, whether at our clients' Planning & Zoning Board or Board of Adjustment hearings, conform with all legal requirements, with particular attention to ensuring that an appropriate and defensible record exists in each instance.
- **Contract and Document Drafting:** The attorneys of Davis & Associates, P.A. regularly prepare, review, negotiate and interpret all variety of contracts. We regularly handle everything from simple agreements for the purchase of goods, to employment agreements for senior staff (managers, public works directors), to financing agreements for major purchases, to multi-agency interlocal agreements and both state and federal grant agreements. Additionally, we routinely draft and review deeds, leases, and other relevant legal documents. Collectively, we have also written hundreds of ordinances, resolutions and codes. The Firm's attorneys also handle major Charter reviews and re-writes that are ultimately placed before the electorate through referendum.
- **Procurement:** The Firm's attorneys regularly assist our clients with competitive bidding and procurement document drafting, ensuring compliance with Section 287.057, Florida Statutes. We are adept in the use of "piggybacking" as an economical means of obtaining contractual goods and services. We are also experienced with contracts that are borne out of the Consultants' Competitive Negotiation Act ("CCNA") process pursuant to Section 287.055, Florida Statutes.
- **Public Utilities:** Three (3) of the Firm's municipal clients own and operate their own water and/or sewer facilities (Tequesta, Mangonia Park and Manalapan). As a result, working with the utilities on a regular basis is a significant portion of the Firm's practice. Mr. Davis previously assisted the Village of Tequesta with an extremely complex tri-party agreement between the Village, the Town of Jupiter Inlet Colony and the Loxahatchee River Environmental Control District for the provision and

PROFILE OF OFFEROR

rehabilitation of utility infrastructure in the Inlet Colony (Tequesta provides water to the Inlet Colony). We also assisted the Town of Manalapan with an Office of the Inspector General audit of utility billing practices. In addition to the particular experience above, our attorneys are all experienced in utility rate setting requirements.

- **Legislative Tracking:** Annually, the Firm tracks the legislative session to identify bills likely to impact the Firm's clients. We advise our clients, through interim and final legislative memoranda, of the bills of consequence, changes to state law and necessary actions for each client to take to conform with these changes. We also report to the elected bodies at public meetings to ensure leadership, staff and the public are informed of incoming legislative changes.
- **Litigation:** While we try to keep our clients out of litigation whenever possible, we are experienced in defending them in land use appeals, prosecuting code enforcement foreclosures, and handling all varieties of related litigation matters, including discovery subpoenas and requests from third parties.
- **Finance:** We regularly assist our municipal and special district clients with budgetary and millage requirements including public notice requirements and audit requirements. We also handle budget hearings for each of our clients annually. The Firm's attorneys are experienced in handling referendums and validation hearings for general obligation and revenue bond issues. In addition, the attorneys have experience in implementing the requirements of Chapter 197, Florida Statutes related to the uniform collection method of collecting special assessments.
- **Interpreting Laws, Rulings and Regulations:** The attorneys at Davis & Associates, P.A. regularly review and interpret laws, rulings (including court and Attorney General opinions) and regulations for our municipal clients. In so doing, we remain current with developments in the legal field, ultimately ensuring that our client's policies, practices and procedures remain consistent with governing law. Mr. Davis and Ms. Barnard's service as code enforcement special magistrates for Martin County, the Cities of West Palm Beach, Pahokee, Greenacres, Lake Worth Beach, and Port St. Lucie, the Towns of Loxahatchee Groves, South Palm Beach, and Ocean Ridge and the Village of Palm Springs gives them regular and consistent opportunity to interpret and apply codes to real situations.

PROFILE OF OFFEROR

- **Zoning and Land Use:** The attorneys of Davis & Associates, P.A. have extensive experience in the area of land development, zoning and land use. We regularly assist all of the Firm's clients in processing and reviewing development applications including plats, comprehensive plan text amendments, future land use map amendments, zoning code text amendments, re-zonings, site plans, variances, special exceptions, and annexations. Our attorneys also serve on clients' various staff level review committees, reviewing development applications for legal and technical sufficiency prior to public hearing. Additionally, we are called upon regularly to interpret local code and state law land use requirements, prepare legal ads for public hearings, and provide legal guidance and advice to elected officials, planning and zoning board and staff during quasi-judicial hearings for the processing of land development applications. As such, we have collectively prepared countless development orders, and when necessary, defended those orders on appellate review.

v. Similar Municipal Engagements

Current public clients of the Firm, with relevant dates of service for each, are provided in the table below:

Current Public Clients:	Services Provided	Years of Service	Dates of Service
Local Government Clients			
City of Clewiston*	General Counsel*	3	2022 - Present
Village of Royal Palm Beach	General Counsel	>20	1990s - Present
City of Atlantis	General Counsel	>20	1990s - Present
Village of Tequesta	General Counsel	17	2008 - Present
Town of Palm Beach Shores	General Counsel	>20	1990s - Present
Town of Mangonia Park	General Counsel	>20	1990s - Present
Town of Manalapan	General Counsel	24	2001 - Present
Town of Briny Breezes	General Counsel	7	2018 - Present
Special District Clients			
Treasure Coast Regional Planning Council	General Counsel	10	2015 - Present
Palm Beach County League of Cities	General Counsel	>20	1990s - Present
Florida Green Finance Authority	General Counsel	13	2012 - Present
Special Magistrate Clients			
City of Port St. Lucie	Special Magistrate	7	2018 - Present
Martin County	Special Magistrate	4	2021 - Present
City of Pahokee	Special Magistrate	9	2016 - Present

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Town of Loxahatchee Groves	Special Magistrate	3	2022 - Present
City of West Palm Beach	Special Magistrate	8	2017 - Present
City of Lake Worth Beach	Special Magistrate	7	2018 - Present
City of Greenacres	Special Magistrate	3	2022 - Present
Village of Palm Springs	Special Magistrate	1	2024 - Present
Town of South Palm Beach	Special Magistrate	4	2021 - Present
Town of Ocean Ridge	Special Magistrate	6	2019 - Present
* Attorney representing this client is "Of Counsel" to Davis & Associates, P.A. The Firm Davis & Associates, P.A. does not represent this client.			

Below are three (3) of the Firm's current local government clients and pertinent references:

1. Raymond Liggins, Village Manager
Village of Royal Palm Beach
1050 Royal Palm Beach Boulevard
Royal Palm Beach, FL 33411
(561) 790-5103
rliggins@royalpalmbeachfl.gov
2. Jeremy Allen, Village Manager
Village of Tequesta
345 Tequesta Drive
Tequesta, FL 33469
(561) 768-0460
jallen@tequesta.org
3. Alan Fiers, Mayor
Town of Palm Beach Shores
247 Edwards Lane
Palm Beach Shores, FL 33404
(561) 844-3457
afiers@pbstownhall.org

vi. Conflicts

The Firm does not have any conflicts of interest with our existing clients that would preclude us from accepting this representation.

PROFILE OF OFFEROR

vii. Litigation History

There has been no litigation filed against the Firm or any of the Firm's Attorneys in the past five (5) years which is related to the services that the Firm provides in the regular course of business.

viii. Form Retainer Agreement

The following pages provide a form agreement proposed for use if the Firm is selected to provide Municipal Legal Services for the City. This form, or engagement letters containing similar content, is currently in place for most of the Firm's clients. We are open to entering into whatever form of agreement the City desires.

PROFILE OF OFFEROR

[Date]

[Name]
[Position]
City of Clewiston
115 West Ventura Avenue
Clewiston, FL 33440

Re: Engagement Letter of Davis & Associates, P.A. for Municipal Legal Services

Dear [Name]:

Thank you for the opportunity to represent the City of Clewiston (the "City") as the City Attorney. This letter is intended to set forth our understanding as to the nature and scope of the legal services Davis & Associates, P.A. (the "Firm") have agreed to render to the City, the amount of our fees and costs for those services, and the manner in which our fees for those services will be paid. If this summary meets the City Commission's approval, please execute the acknowledgement below and return it to us at your convenience.

1. **Nature of Legal Services.** The Firm has been engaged to serve as the City Attorney for the City of Clewiston. The Firm agrees to perform all legal services required of the City Attorney except to the extent that those services may be assigned by the City Commission to another attorney in the sole and absolute discretion of the City Commission (i.e., specialized litigation services). The Firm, and its attorneys, agree to perform all services in a diligent and professional manner. It is contemplated that Dylan J. Brandenburg, Esq. will have primary responsibility for the City's legal affairs and will be the City's primary point of contact.
2. **Fees for Services.** The City will be charged and agrees to pay for the Firm's general municipal services at the rate of \$_____ per hour, and at the rate of \$_____ per hour for civil litigation and administrative litigation services. Travel time shall be billed at ½ the above hourly rate for general municipal services, or \$_____. Time will be billed in quarter hour increments.
3. **Costs.** In addition to the fees discussed in paragraph 2, we anticipate that certain expenses may be incurred and advanced by the Firm on the City's behalf. The Firm will charge the City the Firm's flat four percent (4%) administrative fee for these expenses monthly. These expenses may include recording costs, courier charges, special postage (express mail, certified mail and the like), newspaper publication costs, and litigation costs such as court reporter expenses (including cost of transcript and court reporter's fee for attendance), and court costs (filing fees, service of process, newspaper publication costs, subpoena costs, witness fees, etc.). Please note that the Firm will not charge the City for long distance

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phone calls, routine copying of documents performed at the Firm's office, computer charges, online legal research costs (i.e., Westlaw or LexisNexis charges), routine postage, clerical services.

4. **Payment of Fees and Costs.** The Firm will submit monthly written invoices to the City and each invoice will be due and payable when rendered. If an invoice remains unpaid for more than thirty (30) days after it is rendered, the Firm reserves the right, in our discretion, to cease to provide further legal services to the City. If legal services are suspended or terminated by the Firm due to nonpayment, then the Town still will be liable to the Firm for the payment of any fees and costs due up and until the date of suspension/termination.
5. **Independent Contractor.** The Firm, and its employees, are independent contractors and are not employees of the City.
6. **Insurance.** The Firm agrees to maintain, during the course of its services as City Attorney, a professional liability insurance policy and malpractice insurance policy for the professional services to be rendered. Such coverage must be provided by an insurance company or companies authorized to do business in the State of Florida. Certificates evidencing such insurance shall be delivered to the City upon execution of this Engagement Letter. Certificates shall name the City as Certificate Holder, and additional insured if requested by the City.
7. **Termination of Representation.** The Firm will serve at the pleasure of the City Commission and may be terminated at any time.

We appreciate the City's confidence in our Firm to serve as your City Attorney, and we look forward to working with you.

Sincerely,

Keith W. Davis, Esq.

Acknowledgement and Agreement

On behalf of the City of Clewiston, I hereby acknowledge that I have read and understand the terms of the Firm's engagement, such terms of engagement have been approved by the City Commission, and by my signature below, the City of Clewiston accepts representation by the Firm in connection with the Scope of Work as described above.

By: _____

Print Name: _____

Title: _____

Date: _____

PROFILE OF OFFEROR

Dylan J. Brandenburg, Esq.

Shareholder - Davis & Associates, P.A.



Dylan J. Brandenburg, Esq., is currently a Shareholder with Davis & Associates, P.A. Dylan obtained his law degree from Stetson University College of Law in St. Petersburg Florida in 2020 and was admitted to the Florida Bar that same year. Dylan currently serves as general counsel for the City of

Clewiston, Florida. His practice is dedicated to assisting clients with governmental, land use, community association, and other general civil matters. Prior to bar admittance, Mr. Brandenburg worked in a variety of governmental offices including with the City of Clearwater's City Attorney's office, the FL Governor's General Counsel's office and as an intern with the 15th Judicial Circuit's State Attorney's office.

Current Local Government Representation:

- City of Clewiston – General Counsel (through Dylan Brandenburg, P.A.)
- Village of Tequesta – Assistant Village Attorney
- Town of Palm Beach Shores – Assistant Town Attorney

Representative Recent Litigation Matters:

- *B&B Properties, INC., v. Palm Beach County, Fl Case No. 50-2019CA008660XXXXMB*
- *Yanko v. Town of Mangonia Park, FL Case No. 50-2023-CA-012240-XXXX-MB*

Length of Practice/Employment:

4-year member in good standing with the Florida Bar

2 years practicing with Davis & Associates, P.A. (Of Counsel)

4 years practicing in municipal law

References:



Danny Williams, City Manager

City of Clewiston

115 W Ventura Ave

Clewiston, FL 33440

(863) 233-7249

danny.williams@clewiston-fl.gov



Jeremy Allen, Village Manager

Village of Tequesta

345 Tequesta Drive

Tequesta, FL 33469

(561) 768-0460

jallen@tequesta.org



Alan Fiers, Mayor

Palm Beach Shores

247 Edwards Lane

Palm Beach Shores, FL 33404

(561) 844-3457

afiers@pbstownhall.org

PROFILE OF OFFEROR

Attorney Experience – Dylan J. Brandenburg

Mr. Brandenburg is a member of the City, County & Local Government Law Section of the Florida Bar and the Florida Municipal Attorneys Association. Mr. Brandenburg is admitted to practice in all Florida courts as well as the Federal Southern District of Florida. He has had no disciplinary action ever imposed upon him by any Bar including the Florida Bar and the Federal Bar. Mr. Brandenburg has never been sued for malpractice and has never been involved in any manner with a malpractice proceeding.

In the area of land use, Mr. Brandenburg has extensive experience in overseeing numerous future land use map amendments, re-zonings, plat approvals, and comprehensive plan and zoning code text amendments, land annexation matters for the City of Clewiston.

Mr. Brandenburg has on numerous occasions settled disputes between local government and private business entities, such as utility providers, without resulting litigation. He regularly handles code enforcement, departmental administration, and taxing issues for the City of Clewiston.

In the area of contracts, Mr. Brandenburg has negotiated and prepared numerous interlocal agreements, vendor contracts, construction, purchase, and settlement agreements on behalf of the Firm's municipal clients.

In the area of ordinance/resolution preparation, Ms. Brandenburg has drafted numerous ordinances and resolutions on behalf of the Firm's municipal clients and routinely briefs elected officials on the extent and authority of municipal lawmaking. These ordinances and resolutions involve a wide range of topics from general land use matters to separate legal entity governance and operations.

Mr. Brandenburg is also well versed in the Public Records Act, the Sunshine Law, and the Florida Code of Ethics for Public Officers and Employees.

Mr. Brandenburg has also represented private clients with land use, development, purchase/sale and other related general civil matters.

PROFILE OF OFFEROR



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Courts

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Dylan Jon Brandenburg "Dylan J Brandenburg"

Member in Good Standing

Eligible to Practice Law in Florida

Bar Number: 1025326

Mail Address: Brandenburg Legal, P.A.
1257 SW Martin Hwy Unit B1
Palm City, FL 34991-5005

Office: **561-281-6428**

Email: dylan@brandenburglegal.com

Personal Bar URL: <https://www.floridabar.org/fnybar/profile/1025326>

vCard:

County: Martin

Circuit: 19

Admitted: 11/30/2020

10-Year Discipline History: None

Law School: Stetson University College of Law, 2020

Sections: City, County & Local Govt Law
Young Lawyers

Firm: Brandenburg Legal, P.A.

Firm Size: 1

Firm Position: Managing Partner

Firm Website: <https://brandenburgpa.com/>

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PROFILE OF OFFEROR

Keith W. Davis, Esq.

Board Certified Specialist in City, County and Local Government Law

President - Davis & Associates, P.A.



Keith W. Davis, Esq., is the President of Davis & Associates, P.A. Mr. Davis is Board certified by the Florida Bar in the area of City, County, & Local Government Law, and holds a peer review rating of AV through Martindale Hubbell. He obtained his law degree from the College of William and Mary in Virginia in 1992 and was admitted to the Florida Bar that same

year. Prior to joining the Firm in 2002, Mr. Davis served as an Assistant State Attorney for the 15th Judicial Circuit of Florida, prosecuting numerous misdemeanor, juvenile and felony cases.

Current Local Government Representation:

- City of Atlantis – General Counsel
- Town of Briny Breezes – General Counsel
- Town of Manalapan – General Counsel
- Town of Palm Beach Shores – General Counsel
- Village of Tequesta – General Counsel
- Village of Royal Palm Beach – General Counsel

Current Special District and Corporate Representation:

- Treasure Coast Regional Planning Council – General Counsel
- Palm Beach County League of Cities, Inc., – General Counsel

Representative Recent Litigation Matters:

- *EDX Royale Property, LLC v. Village of Royal Palm Beach*, 502024CA004626
- *DISH Wireless L.L.C. v. Town of Palm Beach Shores*, 9:23-cv-80487
- *Lake Drive and Inlet Corp., d/b/a The Anchorage v. Town of Palm Beach Shores*, 502022CA012749
- *Barry I. Haase and Sigrun F. Haase v. Town of Manalapan, Florida and Henry Siemon*, 502020CA002232
- *The Buccaneer Condominium Association of Palm Beach Shores, Inc. v. Town of Palm Beach Shores*, 502019CA015250

Length of Practice/Employment:

33-year member in good standing with the Florida Bar

23 years practicing with Davis & Associates, P.A.

23 years practicing in municipal law

References:



Jeremy Allen, Village Manager
Village of Tequesta
345 Tequesta Drive
Tequesta, FL 33469
(561) 768-0460
jallen@tequesta.org



Alan Fiers, Mayor
Town of Palm Beach Shores
247 Edwards Lane
Palm Beach Shores, FL 33404
(561) 844-3457
afiers@pbstownhall.org



Tom Lanahan, Executive Director
Treas. Coast Reg. Planng. Council
421 SW Camden Avenue
Stuart, FL 33462
(561) 383-2540
tlanahan@TCRPC.org

PROFILE OF OFFEROR

Attorney Experience – Keith W. Davis

Mr. Davis is a Florida Bar Board Certified Specialist in City, County and Local Government Law, and holds an AV peer review rating through Martindale Hubbell. He is a member of the City, County and Local Government Section of the Florida Bar and is the current President of the Florida Municipal Attorneys Association through the Florida League of Cities. He is admitted to practice in all Florida courts as well as the Federal Southern and Northern Districts of Florida, the United States Court of Appeals for the Eleventh Circuit, and the United States Supreme Court. He has had no disciplinary action ever imposed upon him by any Bar including the Florida Bar and the Federal Bar. Mr. Davis has never been sued for malpractice and has never been involved in any manner with a malpractice proceeding. The same can be said for all members of his Firm. For the past 23 years, Mr. Davis has successfully focused his practice on representing local government entities including municipalities and special districts, and has developed a reputation as an exceedingly professional and talented attorney among both clients and peers. Mr. Davis is a regular speaker at local and statewide seminars on a variety of topics involving local government.

In the area of land use, Mr. Davis is extremely experienced with comprehensive plan requirements and zoning codes. He has prepared both Evaluation and Appraisal Reports and plan amendments for several of his clients. He regularly works with local government staff in the upkeep and revision of all aspects of his clients' comprehensive plans, from future land use elements to capital improvement updates and everything in between, constantly keeping up with the changes in law to Chapter 163, *Florida Statutes*. He has overseen and directed numerous re-zonings, subdivisions and plat approvals. Mr. Davis has completely re-written zoning codes for the Towns of Manalapan and Palm Beach Shores, and has seen to the legal sufficiency of countless plan and code amendments over the years. He has prepared floodplain management codes for all of his clients. Mr. Davis has also successfully defended the Town of Mangonia Park against environmental hazard violations alleged by the Environmental Protection Agency, resulting in the ultimate dismissal of all charges. Mr. Davis has assisted his clients with Treasure Coast Regional Planning Council (TCRPC) projects and was closely involved with the Village of Tequesta's U.S. 1 project. In the past, Mr. Davis assisted the Town of Mangonia Park in working with TCRPC to present a conceptual "Transit Oriented Development" concept for the former jai alai site.

In the area of contracts, Mr. Davis has negotiated and prepared many contracts with both private entities and with other governments on behalf of his clients. Notably, Mr. Davis has negotiated and written complex contracts for cellular tower siting between the

PROFILE OF OFFEROR

Village of Tequesta and several telecommunications providers, as well as complex contracts for the erection and use of billboard signs in the Town of Mangonia Park. Mr. Davis has also negotiated and written employment contracts for police and fire chiefs in several of the towns he represents, and has negotiated and written town manager contracts. Mr. Davis has also negotiated, written and revised countless interlocal agreements between various governmental entities. In 2011, working with Erin L. Deady, P.A., Mr. Davis assisted in the drafting of the interlocal agreement that created the Florida Green Finance Authority, a special district that facilitates Property Assessed Clean Energy (PACE) financing in municipalities and counties throughout the state. Mr. Davis has also revised or prepared interlocal agreements for the provision of fire rescue service, law enforcement service and utility service.

In the area of intergovernmental conflicts and relations, Mr. Davis has closed interlocal agreements between the Village of Tequesta and the Town of Jupiter Inlet Colony for both fire rescue service and utility service. Mr. Davis also assisted the Village of Tequesta with an extremely complex tri-party agreement with the Town of Jupiter Inlet Colony and the Loxahatchee River Environmental Control District for the provision and rehabilitation of utility infrastructure in the Inlet Colony. He also recently worked to close the restatement and renewal of an interlocal agreement between the Town of Manalapan and the Town of South Palm Beach for wastewater service. Mr. Davis also worked with the Town of Palm Beach Shores for the renewal of its interlocal agreement with the City of Riviera Beach for EMS service. Mr. Davis has worked on many successful annexations on behalf of his clients; both voluntary and via interlocal agreement with Palm Beach County. Finally, Mr. Davis works with the Town of Mangonia Park to foster intergovernmental relations with both the City of Riviera Beach and the City of West Palm Beach regarding the Town's water service interconnect arrangements.

Mr. Davis has written and reviewed countless ordinances and resolutions for his clients. Mr. Davis is currently working with the Palm Beach County League of Cities, Inc. and municipal leaders throughout the county to facilitate the renewal of a Palm Beach County Local Option Fuel Tax which requires multi-jurisdictional resolutions and interlocal agreements among the county's 39 municipalities. Mr. Davis previously managed a two year project for the Village of Tequesta virtually re-writing and updating the Village's entire code of ordinances. This project required the drafting and adopting of dozens of ordinances. Mr. Davis has also prepared a number of resolutions regarding the "All Aboard Florida" project. There are many other examples, from ordinances that create code amendments, to resolutions making political assertions.

Mr. Davis is well versed on topics of sunshine law, public records, procurement, ethics and meeting procedure, and 501(c)(3) operations. He regularly advises the governing

PROFILE OF OFFEROR

bodies that he represents on many of these topics, and has been a speaker both locally and for the Florida League of Cities on these topics as well. Between 2003 and 2007, Mr. Davis helped create, and served on the Board of Directors, of two 501(c)(3) charter school non-profit corporations and is familiar with these types of organizations.

As general counsel for his various clients, in addition to the experience described above, Mr. Davis is also well versed in matters of constitutional law (speech and religious issues), civil rights (fair housing and ADA discrimination issues), personnel issues (especially the relationships between elected officials and municipal staff that arise in the council-manager form of municipal government), and public finance (taxation and borrowing).



PROFILE OF OFFEROR

Amity Barnard, Esq., LEED GA
Board Certified in City, County and Local Government Law
Shareholder - Davis & Associates, P.A.



Amity R. Barnard, Esq., is a Shareholder with Davis & Associates, P.A. Ms. Barnard is Board certified by the Florida Bar in the area of City, County and Local Government Law.

She obtained her Juris Doctor from Vermont Law School in 2013 and was admitted to the Florida Bar in 2014. Ms. Barnard also holds Bachelor of Arts (*cum laude*) from the University of Florida in Environmental Science (2001) and a Master of Science in Natural Resources and Environmental Management from Ball State University (2004).

Local Government Representation:

- Town of Mangonia Park – General Counsel
- Village of Royal Palm Beach – Assistant General Counsel
- Town of Palm Beach Shores – Assistant General Counsel

Current Special District Representation:

- Florida Green Finance Authority – General Counsel

Litigation Experience:

- *EDX Royale Property, LLC v. Village of Royal Palm Beach*, Case No. 502024CA004626
- *Blancy Merineo and David Merineo v. Town of Mangonia Park*, Case No. 502023CA012240
- *Barry I. Haase and Sigrun F. Haase v. Town of Manalapan, Florida and Henry Siemon*, Case No. 502020CA002232
- *The Buccaneer Condominium Association of Palm Beach Shores, Inc. v. Town of Palm Beach Shores*, Case No. 502019CA015250
- *Florida Bankers Association v. Florida Development Finance Corporation, etc., et al.*, Case No. SC14-1603
- *Gowen v. State of Florida, et al.*, Case No. SC14-2269

Length of Practice/Employment:

11-year member in good standing with the Florida Bar

9 years practicing with Davis & Associates, P.A.

9 years practicing in municipal law

References:



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Alan Fiers, Mayor
 Town of Palm Beach Shores
 247 Edwards Lane
 Palm Beach Shores, FL 33404
 (561) 844-3457

afiers@pbstowndhall.org

PROFILE OF OFFEROR

Attorney Experience - Amity R. Barnard

Ms. Barnard is Florida Bar Board Certified in City, County and Local Government Law. She is a member of the City, County & Local Government Law Section of the Florida Bar and the Florida Municipal Attorneys Association. Ms. Barnard is admitted to practice in all Florida courts as well as the Federal Southern District of Florida. She has had no disciplinary action ever imposed upon her by any Bar including the Florida Bar and the Federal Bar. Ms. Barnard has never been sued for malpractice and has never been involved in any manner with a malpractice proceeding.

Ms. Barnard is a certified Leadership in Energy and Environmental Design (LEED) Green Associate, and a member of the U.S. Green Building Council, South Florida Chapter. She was awarded with the 2014 Vermont Law School Academic Excellence Award for Advanced Legal Analysis, the 2004 Ball State University Dean's Citation for Academic Excellence, the 2003 Ball State University Outstanding Graduate Student Award, and the 2004 Ball State University Outstanding Graduate Thesis Award.

In the area of land use, Ms. Barnard has extensive experience in overseeing numerous future land use map amendments, re-zonings, plat approvals, and comprehensive plan and zoning code text amendments for the Village of Royal Palm Beach and the Town of Mangonia Park.

In the area of contracts, Ms. Barnard has negotiated and prepared numerous interlocal agreements, vendor contracts and settlement agreements on behalf of the Firm's municipal clients.

In the area of ordinance/resolution preparation, Ms. Barnard has drafted numerous ordinances and resolutions on behalf of the Firm's municipal clients and Florida Green Finance Authority. These ordinances and resolutions involve a wide range of topics from general land use matters to separate legal entity governance and operations.

Ms. Barnard is also well versed in the Public Records Act, the Sunshine Law, and the Florida Code of Ethics for Public Officers and Employees.



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Amity Rainey Barnard

Member in Good Standing

Eligible to Practice Law in Florida

Bar Number: 109642

Mail Address: Davis & Associates, P.A.
701 Northpoint Parkway Ste 205
West Palm Beach, FL 33407-1956
Office: 561-586-7116

Email: mitty@davislawteam.com W

Personal Bar URL: <https://www.for-dabar.org/mybarprofile/109642>

vCard

County: Palm Beach

Circuit: 15

Admitted: 05/05/2014

10-Year Discipline History:	None
-----------------------------	------

Law School: Vermont Law School, 2013

Board Certifications:	Area	Year
	City, County and Local Government Law	2022

Sections: City, County & Local Govt Law

Practice Areas: City/County/Local Government
Environmental and Land Use

Federal Courts: U.S. District Court, Southern District of Florida

Firm: Davis & Associates, P.A.


Firm Size: 2-5

Firm Position: Associate

Firm Website: <http://www.davislawteam.com/>



PROFILE OF OFFEROR



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Florida Profit Corporation
DAVIS & ASSOCIATES, P.A.

Filing Information

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Last Event	NAME CHANGE AMENDMENT
Event Date Filed	01/08/2021
Event Effective Date	NONE

Principal Address

701 NORTHPOINT PARKWAY
SUITE 205
WEST PALM BEACH, FL 33407

Changed: 06/20/2016

Mailing Address

701 NORTHPOINT PARKWAY
SUITE 205
WEST PALM BEACH, FL 33407

Changed: 06/20/2016

Registered Agent Name & Address

DAVIS, KEITH W
701 NORTHPOINT PARKWAY
SUITE 205
WEST PALM BEACH, FL 33407

Name Changed: 01/12/2015

Address Changed: 06/20/2016

Officer/Director Detail

Name & Address

Title PT

DAVIS, KEITH W
701 NORTHPOINT PARKWAY
SUITE 205
WEST PALM BEACH, FL 33407

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Report Year	Filed Date
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2024	01/09/2024
2025	01/30/2025

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PROFILE OF OFFEROR



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CLARKEN

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
7/16/2024

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 have ADDITIONAL INSURED provisions or 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 Insurance Office of America 501 S. Cherry Street Suite 600 Denver, CO 80246	CONTACT Nicole Clarke PHONE (AC, No. Exp.) (720) 214-7885 (AE, No.) E-MAIL (AC, No.) Nicole.Clarke@ioausa.com														
INSURED Davis & Associates, P.A. 701 Northpoint Parkway, Suite 205 West Palm Beach, FL 33407	<table border="1"> <thead> <tr> <th data-bbox="812 583 1266 604">INSURER(S) AFFORDING COVERAGE</th> <th data-bbox="1266 583 1359 604">NAIC #</th> </tr> </thead> <tbody> <tr> <td data-bbox="812 604 1266 625">INSURER A Bankers Insurance Company</td> <td data-bbox="1266 604 1359 625">33162</td> </tr> <tr> <td data-bbox="812 625 1266 646">INSURER B Hartford Casualty Insurance Company</td> <td data-bbox="1266 625 1359 646">29424</td> </tr> <tr> <td data-bbox="812 646 1266 667">INSURER C Everest National Insurance Company</td> <td data-bbox="1266 646 1359 667">10120</td> </tr> <tr> <td data-bbox="812 667 1266 688">INSURER D</td> <td data-bbox="1266 667 1359 688"></td> </tr> <tr> <td data-bbox="812 688 1266 709">INSURER E</td> <td data-bbox="1266 688 1359 709"></td> </tr> <tr> <td data-bbox="812 709 1266 724">INSURER F</td> <td data-bbox="1266 709 1359 724"></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A Bankers Insurance Company	33162	INSURER B Hartford Casualty Insurance Company	29424	INSURER C Everest National Insurance Company	10120	INSURER D		INSURER E		INSURER F	
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INSURER D															
INSURER E															
INSURER F															

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:																														
<p>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.</p> <table border="1"> <thead> <tr> <th data-bbox="245 829 284 850">TYPE OF INSURANCE</th> <th data-bbox="284 829 552 850">POLICY NUMBER</th> <th data-bbox="245 850 284 871">POLICY EFF. DATE (MM/DD/YYYY)</th> <th data-bbox="284 850 552 871">POLICY EXP. DATE (MM/DD/YYYY)</th> <th data-bbox="552 850 1365 871">LIMITS</th> </tr> </thead> <tbody> <tr> <td data-bbox="245 871 552 1018"> 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 <input type="checkbox"/> OTHER </td> <td data-bbox="552 871 852 1018">09-0037795576-3-00</td> <td data-bbox="852 871 950 1018">6/22/2024</td> <td data-bbox="950 871 1047 1018">6/22/2025</td> <td data-bbox="1047 871 1365 1018"> EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADJ INJURY \$ Excluded GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000 </td> </tr> <tr> <td data-bbox="245 1018 552 1144"> A AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY </td> <td data-bbox="552 1018 852 1144">09-0037795576-3-00</td> <td data-bbox="852 1018 950 1144">6/22/2024</td> <td data-bbox="950 1018 1047 1144">6/22/2025</td> <td data-bbox="1047 1018 1365 1144"> COMBINED SINGLE LIMIT (Per accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ </td> </tr> <tr> <td data-bbox="245 1144 552 1207"> <input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> RETENTION \$ </td> <td data-bbox="552 1144 852 1207"></td> <td data-bbox="852 1144 950 1207"></td> <td data-bbox="950 1144 1047 1207"></td> <td data-bbox="1047 1144 1365 1207"> EACH OCCURRENCE \$ AGGREGATE \$ </td> </tr> <tr> <td data-bbox="245 1207 552 1291"> B WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED? (Mandatory in MD) If yes, describe under DESCRIPTION OF OPERATIONS below </td> <td data-bbox="552 1207 852 1291">34WECBZ3336</td> <td data-bbox="852 1207 950 1291">7/15/2024</td> <td data-bbox="950 1207 1047 1291">7/15/2025</td> <td data-bbox="1047 1207 1365 1291"> <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 </td> </tr> <tr> <td data-bbox="245 1291 552 1354"> C Lawyers Professional C Lawyers Professional </td> <td data-bbox="552 1291 852 1354">EML0001581-241 EML0001581-241</td> <td data-bbox="852 1291 950 1354">7/21/2024 7/21/2024</td> <td data-bbox="950 1291 1047 1354">7/21/2025 7/21/2025</td> <td data-bbox="1047 1291 1365 1354"> Per Claim \$ 1,000,000 Aggregate \$ 1,000,000 </td> </tr> </tbody> </table>	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFF. DATE (MM/DD/YYYY)	POLICY EXP. DATE (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 <input type="checkbox"/> OTHER	09-0037795576-3-00	6/22/2024	6/22/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 500,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADJ INJURY \$ Excluded GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMPROP AGG \$ 2,000,000	A AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	09-0037795576-3-00	6/22/2024	6/22/2025	COMBINED SINGLE LIMIT (Per accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$	B WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/OWNER EXCLUDED? (Mandatory in MD) If yes, describe under DESCRIPTION OF OPERATIONS below	34WECBZ3336	7/15/2024	7/15/2025	<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	C Lawyers Professional C Lawyers Professional	EML0001581-241 EML0001581-241	7/21/2024 7/21/2024	7/21/2025 7/21/2025	Per Claim \$ 1,000,000 Aggregate \$ 1,000,000		
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CERTIFICATE HOLDER For information Only ACORD 25 (2016/03)	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
---	--

ACORD 25 (2016/03)

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PRICING

C. Pricing

As requested, proposed pricing for Municipal Legal Services has been provided in a separate sealed envelope that the Firm would like the City Commission to consider during contract negotiations.

PRICING PROPOSAL**PRICING PROPOSAL.**

In response to the City of Clewiston's Request for Letter of Interest for Municipal Legal Services, Davis & Associates, P.A., can offer a variety of billing options, all of which are designed to add value to the City's annual legal budget. We can offer a flat hourly, blended rate of \$250.00 per hour for all attorney non-litigation work, with a litigation rate of \$275.00 per hour, and a one-half rate for travel time at \$125.00 per hour. Invoices will be submitted monthly and are fully itemized for ease of review. We typically charge our municipal clients a flat four percent (4%) administrative fee for all expenses that may be incurred in providing ancillary services (e.g. postage, courier, copying expenses, etc.). Of course, we are more than willing to discuss this arrangement in conjunction with the terms of the Professional Services Agreement.

Alternatively, we can offer a flat monthly retainer in the amount of the City's total budget for Municipal Legal Services divided equally over twelve (12) months, exclusive of litigation matters (which would be billed either at an hourly rate or under a separate retainer agreement). Such arrangement would need to be reviewed annually and revised in future years in the event that the budget of the City for general legal services deviates from the anticipated budgets provided in the above-referenced document.

The Firm is committed to using all available resources to minimize costs to the City. We are willing to discuss and further negotiate details of either of these proposals.

CITY OF CLEWISTON

RLI: Municipal Legal Services

May 7, 2025

PREPARED BY

GRAYROBINSON

CITY OF CLEWISTON
FINANCE DEPARTMENT
MAY / 2025

RECEIVED

Derek P. Rooney
Shareholder
1404 Dean Street, Suite 300
Fort Myers, Florida 33901
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Kaylee A. Tuck
Of Counsel
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A. LETTER OF TRANSMITTAL

One (1) or two (2) printed pages. Briefly state your understanding of the work to be done and provide a positive commitment to perform the work.

City of Clewiston
Lakisha Q. Burch, City Clerk
115 West Ventura Avenue
Clewiston, FL 33440

May 7, 2025

Dear Ms. Burch,

On behalf of GrayRobinson, we are pleased to offer this proposal to provide representation for the City of Clewiston (the City) for Municipal Legal Services. We present the enclosed response, including our professional experience and qualifications that make us uniquely prepared to represent your City.

GrayRobinson is a multidimensional team of professionals providing integrated legal, lobbying, and regulatory services to leading and emerging businesses, state and local governments, industry stakeholders, and entrepreneurs nationwide. We are agile, adaptable, and fully embedded to deliver results at the local, state, and federal levels. Our team's approach to helping our clients successfully navigate legal challenges and projects is evident by the recognition of GrayRobinson attorneys in the *Florida Trend* Legal Elite, *U.S. News and World Report's* Best Law Firms and Best Lawyers in America, Chambers USA, and Chambers Global rankings.

GrayRobinson understands the broad and essential responsibilities required to provide municipal legal services to the City. We are fully prepared to meet the City's legal needs as outlined in the Scope of Services.

In representations such as the City of Clewiston, GrayRobinson implements a team approach to maximize communication and responsiveness without over-staffing. As your primary points of contact, we will oversee the work done by GrayRobinson professionals and ensure you and your team remain satisfied with the quality, timeliness, and effectiveness of our representation. We believe this approach allows us to provide quality legal services and respond swiftly and thoroughly to the needs of our clients.

GrayRobinson is ready and able to represent the City of Clewiston. We are grateful for the opportunity and hope you will recognize the exclusive assets of GrayRobinson's professionals and favorably consider this proposal.

Regards,

Derek P. Rooney
Shareholder and Local Government Team Lead
GrayRobinson

Kaylee A. Tuck
Of Counsel
GrayRobinson

B. PROFILE OF OFFEROR

1. Description of organization, size, structure, areas of practice, and whether Offeror is national, regional, or local.

FIRM OVERVIEW

THRIVING WHERE OPPORTUNITY AND RISK CONVERGE.

GrayRobinson is a multidimensional team of professionals providing integrated legal, lobbying, and regulatory services to leading and emerging businesses, state and local governments, industry stakeholders, and entrepreneurs nationwide. We are agile, adaptable, and fully embedded to deliver results at the local, state, and federal levels.

We thrive where opportunity and risk converge. For us, growing and protecting your enterprise is a collective endeavor that requires a diverse network of talent and a clarity of ideas to overcome constraints and harness forward momentum. Our strategies and approach go beyond the conventional. We're focused on outcomes – not barriers – to help create possibilities, cultivate conditions for optimal growth, and build resilience to rapid change.

INFORMED BY THE PAST, WITH OUR EYES ON YOUR FUTURE.

Grounded by more than fifty years of service and advocacy, we are intimately connected to Florida's dynamic economy. Our people have helped transform commerce and communities across the Sunshine State, and our growing ecosystem of resources and relationships has expanded to our nation's capital and beyond. We collaborate with clients nationally from 16 key markets in Florida and Washington, D.C.

BUILT ON INDIVIDUAL INSTINCTS, SHAPED BY SHARED EXPERIENCES.

Built on individual instincts and shaped by our shared experience, we support and develop professionals who collaborate across service lines to strengthen strategic alliances, tap meaningful spheres of influence, and reframe critical conversations. We evolve alongside our clients in pursuit of new and different ways to help rewrite the future of business.

PRACTICE AND INDUSTRY GROUPS

GrayRobinson provides individualized service backed by the resources needed to efficiently and creatively represent our clients. The breadth of services offered by GrayRobinson eliminates the obstacles associated with managing multiple outside lawyers, advisors, and firms to meet your legal and legislative needs. With more than 80 practice and industry groups, state and federal lobbying services, and nearly 300 attorneys and advisors, we put our resources to work for our clients.

Attorneys and advisors collaborate within their section and across specialties, including our dedicated local government team, to bring the expertise needed for each project and matter. Not only do attorneys, government affairs advisors, and consultants work together seamlessly for our clients, but we also work in teams comprised of professionals from multiple GrayRobinson offices across the state – bringing together the credentials, contacts, and experience appropriate to help our clients accomplish their goals.

GrayRobinson professionals represent clients in the following areas of law and advocacy.

- Administrative and Regulatory
- Alcohol Beverage
- Antitrust and Trade Regulation
- Appellate and Trial Support
- Attorney General Defense
- Aviation and Drone Law
- Banking and Finance
- Bankruptcy and Creditors' Rights
- Cannabis Industry
- Class Action Defense
- Communications, Broadband, and New Media
- Construction
- Corporate
- Criminal and White Collar Defense
- Cruise Line
- Data Privacy and Security
- Education
- Elder Law
- Election Law
- Eminent Domain and Condemnation
- Entertainment and Sports
- Environmental and Sustainability Law
- ERISA and Employee Benefits
- ERISA Litigation
- ESOPs
- Estate Planning
- Exempt Organizations
- Food Law
- Franchising and Licensing
- Government Affairs and Lobbying
- Guardianship
- Health Care
- Higher Education
- Hospitality
- Immigration
- Insurance Defense
- Intellectual Property and Technology
- International
- Labor and Employment
- Land Use Law
- Litigation
- Managed Care
- Marital and Family Law
- Maritime Litigation
- Media and First Amendment Law
- Mediation and Alternative Dispute Resolution
- Medicaid Planning
- Medical Malpractice Defense
- Mergers and Acquisitions
- OSHA
- Patent
- Personal Injury
- Petroleum
- Probate
- Product Liability and Toxic Tort
- Professional Liability Defense
- Public Finance
- Real Estate
- Religious Organizations
- Residential, Resort, and Club
- Restaurant
- Securities
- Securities Litigation, Arbitration, and Regulatory Practice
- Senior Housing
- Special Needs Law and Advocacy
- Subrogation
- Taxation
- Technology Transactions
- Tobacco
- Trade Secret, Noncompete, and Unfair Competition
- Trademark
- Transportation
- Trusts
- Utilities
- Venture Capital
- Wealth Transfer

2. Lead Attorney as well as other assigned attorneys with accompanying resumes including individual experience.



Lead Attorney: Derek P. Rooney **Shareholder** **Local Government Team Leader**

derek.rooney@gray-robinson.com
239.340.7979

Focus

- Environmental and Sustainability Law
- Government
- Land Use Law
- Senior Housing

Fully embedded government lawyer and litigator helping transform commerce and communities across Southwest Florida. Board certified by The Florida Bar in City, County, and Local Government law.

Derek Rooney practices in the areas of land use law and local government law and is a Board-certified Attorney in City, County and Local Government law. Derek represents private and government clients on questions of general municipal law, land use, and public-private partnerships.

Derek currently serves as counsel to the City of Bonita Springs, the City of LaBelle, the Charlotte County Industrial Development Authority, the Lee County Metropolitan Planning Organization, the Area Agency on Aging for Southwest Florida, and as special counsel to a number of other local government entities. He previously served as counsel to the Charlotte County–Punta Gorda Metropolitan Planning Organization, the Village of Estero, the Town of Fort Myers Beach, the City of Marco Island, and Charlotte County.

Derek has a multi-disciplinary practice involving land use law, real estate and land development, environmental law, municipal finance, and economic development.

While he has represented clients throughout the state, Derek focuses on the needs of Southwest Florida and primarily practices in Charlotte, Collier, Desoto, Glades, Hendry, Lee, Manatee, and Sarasota counties. As a litigator, Derek concentrates on prosecuting and defending land use decisions before Florida courts, the Division of Administrative Hearings, and a variety of state and local bodies. He also has extensive experience with claims under the Bert J. Harris, Jr., Private Property Rights Protection Act.

Recognition

- *Best Lawyers in America*, 2018-2025
 - Environmental Law
 - Land Use and Zoning Law
 - Lawyer of the Year, 2023
- *Naples Illustrated*, Top Lawyers, 2018-2020, 2023, 2024

Insights

- "Florida Case Law for Planners: Six Court Opinions that won't Appear on the AICP Exam" and "Avoiding Legal Crises: City/County Attorneys' Tips on How to Keep Your Bosses (and You) out of Legal Trouble," American Planning Association, Florida Chapter – Promised Lands Section, Planners in Peril! Symposium, Bonita Springs, Florida, December 6, 2019
- "First Amendment Auditors: Citizen Oversight or Harassment?" Florida Association of County Attorneys Conference, Orlando, Florida, June 12, 2019
- "Discover Your Enterprise: Getting Started as a Solo Practitioner," Ave Maria School of Law, Naples, Florida, August 17, 2018
- "Land Use Issues in Golf Course Redevelopment," The Florida Bar's Environmental and Land Use Law Sections "New, Different, Unusual, and Uncertain – Environmental and Land Use Law Issues Facing All Floridians" Conference, Orlando, Florida, January 29, 2016
- "Understanding Riparian and Water Rights," Determining Land Ownership and Access Rights Seminar, HalfMoon Education, Inc., Fort Myers, Florida, June 12, 2015
- "Who Participates in a Land Use Hearing," The Promise Lands of the American Planning Association (APA)'s Land Use Symposium, Port Charlotte, Florida, May 8, 2015
- "The Cast of Thousands," Relevance of Testimony and the Standard of Review in Quasi-Judicial Hearings, The Promise Lands of the American Planning Association Land Use Symposium, Cape Coral, Florida, May 16, 2014
- "Nollan and Dolan II, Burden of Proof," The American Planning Association's National Conference, Atlanta, Georgia, April 28, 2014

Affiliations

- The Florida Bar
 - Board-certified in City, County and Local Government Law since 2012
 - City, County and Local Government Law Section
 - Environmental and Land Use Law Section
 - City, County and Local Government Law Certification Standing Committee, 2017-2023
 - Military Affairs Standing Committee, 2016-2019
- Florida Municipal Attorneys Association, Member
- Punta Gorda Charter Review Committee, 2021-2022
- Punta Gorda Utility Advisory Board, 2021-current
- Charlotte County Economic Development Partnership, Secretary
- Charlotte County Manatee Advisory Committee
- Tiger Bay Club of Southwest Florida, Treasurer
- Charlotte County Law Library, Board of Trustees

Credentials

- J.D., American University Washington College of Law, 2006
- B.A., Florida International University, 2002

Admissions

- Florida
- District of Columbia

**Lead Attorney: Kaylee A. Tuck
Of Counsel**

kaylee.tuck@gray-robinson.com
239.340.7979

Focus

- Communications, Broadband and New Media Law
- Land Use Law
- Real Estate

Passionate and thoughtful land use and real estate attorney. Current Florida House Representative for the 83rd District.

Kaylee serves as Of Counsel attorney in the firm's Fort Myers office and currently represents Florida's 83rd District in the Florida House of Representatives. She focuses her legal practice on commercial and residential sales and leases, development, land use, and survey matters. Kaylee's recent experience includes providing land use counsel and representation to private sector commercial developers and members of the telecommunications and broadband industries.

Prior to her legal and legislative career, Kaylee served as an intern for the Office of Fiscal Integrity within Florida's Department of Financial Services and as a policy analyst with Florida State's Social Entrepreneurship Program, where she evaluated the sustainability of converting dilapidated buildings into high quality and affordable migrant farmworker housing. Kaylee also served as an intern for the St. Petersburg Police Department and a volunteer with Gulfcoast Legal Services legal aid clinic.

Recognition

- Florida *Super Lawyers*, Rising Star, Land Use and Zoning Law, 2021-2024

Insights

- Florida Chamber "2023 Learners to Earners Workforce Solution Summit," Panelist, The Progress Report: A 2023 Legislative Update, June 27, 2023
- 2022 Real Property, Probate, and Trust Law Society Legislative Update, "Making Over MRTA and Protecting Private Parking Lots," July 22, 2022
- 2021 Real Property, Probate, and Trust Law Society Legislative Update, "Taking' the Burdens Off Real Property," July 24, 2022

Media

- "Personnel File --- People on the Move, July 24, 2023," *News Service of Florida*, July 24, 2023
- "Fla. Lawmaker Brings Real Estate Practice To GrayRobinson," *Law360*, July 21, 2023

- "Personnel note: Kaylee Tuck joins GrayRobinson's Real Estate and Land Use Section," *Florida Politics*, July 20, 2023

Affiliations

- Florida House of Representatives, District 83
 - Choice and Innovation Subcommittee, Chair
 - Local Administration, Federal Affairs and Special Districts Subcommittee, Vice Chair
 - PreK-12 Appropriations Subcommittee, Vice Chair
 - Education & Employment Committee
 - Agriculture, Conservation and Resiliency Subcommittee
 - Criminal Justice Subcommittee
- The Florida Bar
 - City, County and Local Government Law Section
 - Environmental and Land Use Law Section
 - Real Property, Probate and Trust Section
 - Young Lawyers Section

Credentials

- J.D., Stetson University College of Law, 2018
- B.S., Florida State University, 2014

Admissions

- Florida



Thomas A. Cloud, B.C.S.
Of Counsel

thomas.cloud@gray-robinson.com
407.843.8880

Focus

- Administrative and Regulatory
- Land Use Law
- Utilities
- Government
- Environmental and Sustainability Law

Board-certified attorney with over 40 years of experience representing Florida cities in land use, environmental, utility, and local government law. Trusted legal counsel for complex municipal matters, including development, regulation, and finance.

Through four decades, Tom has been a local and state government, utility, land use, and environmental law attorney. Board-certified by The Florida Bar in City, County and Local Government Law, Tom has represented over 100 Florida cities, including six as city attorney. His practice includes negotiating complex contracts, drafting dozens of city and county legislative initiatives and ordinances, creation and defense of municipal rates, fees, assessments, and charges, obtaining state and local government regulatory approvals and all matters attendant to the acquisition, development, and utilization of both real property and business acquisitions and sales. He has been responsible for the application and approval of over 25 Developments of Regional Impact throughout central Florida, as well as dozens of other complex land use matters. Tom has handled a variety of matters directly involving regional planning councils throughout Florida, including comprehensive plan amendments, DRI reviews, interlocal planning agreements, and agreements between RPCs and local governments. Tom helped create and served as the first general counsel to the Volusia Growth Management Commission, a charter-created intergovernmental entity that reviewed plan amendments within Volusia County. In addition to handling state administrative, municipal, land use, and environmental matters, Tom is one of the preeminent municipal utility attorneys in Florida, having successfully handled a wide variety of both transactional and litigation matters within the field. He has handled a variety of complex municipal, county, and special district financial transactions, including the defense of various capital and operational rates, fees, assessments, and charges. Tom has written, presented, and published dozens of articles on a variety of local government topics for various sections of The Florida Bar, *Stetson Law Review*, and other publications.

Tom currently serves as city attorney in four cities across Central Florida, and serves as general counsel to the Utilities Commission of New Smyrna Beach. He previously served as president of the Florida Municipal Attorneys Association, and has represented hundreds of cities and counties throughout Florida in a variety of legal matters since 1980.

Recognition

- *AV Preeminent*® rated by Martindale-Hubbell
- Florida Municipal Attorneys Association Paul S. Buchman Award, 2021
- Florida League of Cities Home Rule Hero Award, 2021
- *Chambers USA*, Energy and Natural Resources, 2021-2024
- *Best Lawyers in America*, 2012-2021
- *Orlando Magazine*, Best Lawyers, 2014, 2019-2021
- *Florida Trend*, Legal Elite, 2004-2005, 2013
- *Daily Business Review*, Top Rated Lawyer, Energy, Environmental and Land Use Law, 2013
- *Florida Super Lawyers*, 2006-2007

Insights

- "John Moses Cheney's Impact Throughout the Orlando Region," Reflections From Central Florida, March 1, 2022
- "Local Government Revenue Sources," Florida Municipal Attorneys Association's 39th Annual Seminar, July 8, 2021

Media

- "Approves Massive Solar Farm Near Florida Polytechnic University," *Lakeland Now*, December 18, 2023
- "Lake Wales Commissioners Expected to Vote on Code Revision, Clearing Way for Pipe Plant," *The Ledger*, April 17, 2023
- "Fla. Town Says City Breached Water Services Contract," *Law360*, April 4, 2023
- "Importance of a Feasibility Study for City of Pensacola," *Pensacola News Journal*, February 10, 2022
- "Pensacola inches closer to creating electric utility amid anger toward FPL rate increase," *Pensacola News Journal*, January 27, 2022

Affiliations

- The Florida Bar
 - Board Certified in City, County, and Local Government Law
 - Environmental and Land Use Law Section, 1990-present
 - Executive Council, 1981-present
 - Chair, 1987-1988
 - City, County and Local Government Law Section, Member
 - Governmental and Public Policy Advocacy Committee
- Florida Municipal Attorneys Association
 - President, 2015-2016
 - Executive Council, 2010-2017
- American Bar Association
- Florida League of Cities, Energy, Environment and Natural Resources Legislative Policy Committee
- Florida Chamber Growth Management, Leadership Committee
- Boone High School Foundation Member, Board of Directors
- Wake Forest University National Alumni Council

- Greater Orlando Chamber of Commerce Leadership Programs, Board of Directors
- Leadership Orlando Program, Greater Orlando Chamber of Commerce
- Leadership Central Florida Program
- Leadership Florida Program
- Lake Apopka Restoration Council
- Music Mission Kiev, Board of Directors
- Orange County Historical Commission
- Historic Lakeland, Inc.
- Historical Society of Central Florida, Inc., Board of Directors
- Florida Chautauqua Assembly, Board of Directors

Credentials

- J.D., Florida State University, 1979, *with honors*
- B.A., Wake Forest University, 1976, *magna cum laude*

Admissions

- Florida



Nikki Day
Shareholder

nikki.day@gray-robinson.com
813.273.5000

Focus

- Real Estate
- Land Use Law
- Government

Board-certified by The Florida Bar in City, County, and Local Government Law. A vital resource for clients navigating high-stakes legal matters in local government law and experienced counsel in public private partnerships, capital projects, and governance.

Nikki Day brings over a decade of dedicated experience representing local government entities in a wide array of legal matters. Board-certified by The Florida Bar in City, County, and Local Government Law, she provides invaluable counsel on sunshine laws, procurement, contracts, land use, zoning, and government litigation. Nikki has served as both general and special counsel to local governments across Florida, guiding them through high-stakes legal challenges with precision and skill.

Nikki's breadth of experience spans private and public sector transactions and provides her clients with the confidence that comes from receiving skilled guidance in the face of complex legal matters. Nikki's deep knowledge and commitment make her an indispensable member of the GrayRobinson local government law team.

Recognition

- The Florida Bar, Chair Service Award, City, County and Local Government Law Section, 2022
- *Florida Trend*, Legal Elite "Up and Comers," 2021

Insights

- "Let's Talk Crypto!" Co-presenter, 45th Annual Local Government Law in Florida, City, County and Local Government Law Section, The Florida Bar, May 6-7, 2022
- "Contracting with Transportation Network Companies (TNCs)," Transportation Research Board Annual Transportation Law Seminar, September 13-15, 2021
- "You Can't Do That in City Hall: Legal Issues with Limited Forum," Florida Municipal Attorneys Association (FMAA) Seminar, July 8-10, 2021
- "What the Zoom!? Lessons Learned on Governing 'In the Sunshine' During the COVID-19 Pandemic," 44th Annual Local Government Law in Florida, City, County and Local Government Law Section, The Florida Bar, April 30-May 1, 2021

- "Masks: Uncovering the Future of Local Government's Role in a Public Health Crisis," Florida Association of County Attorneys (FACA) Seminar, December 2020
- "Statewide Best Practices for Local Government Land Use Hearings (Parts I and II)," The Florida Bar, July 2020
- "Emerging Legal Technologies," 43rd Annual Local Government Law in Florida, The Florida Bar, July 17, 2020
- "'Bridgegate' and Beyond: The State of Public Corruption," Florida Association of County Attorneys (FACA) Seminar, Summer 2020
- "Public Records, Public Meetings, and Ethics, Florida League of Cities," Annual Certification Course, locations throughout Florida, 2015-2020

Media

- "Personnel File --- People on the Move, November 13, 2024," *News Service of Florida*, November 13, 2024
- "GrayRobinson Adds Trio of Attys To Tampa Office," *Law360*, November 4, 2024
- "City, County, and Local Government Law Section recognizes Nikki Day," *Florida Bar News*, June 2, 2022

Credentials

- J.D., Stetson University, 2009, *cum laude*
- B.A., University of Central Florida, 2006, *cum laude*
- Board Certified by The Florida Bar in City, County & Local Government Law
- Certificate, Economics of Blockchain and Digital Assets, University of Pennsylvania Wharton School of Business, 2022
- Certificate, American Sign Language, University of Central Florida, 2006

Admissions

- Florida
- U.S. Court of Appeals for the 11th Circuit
- U.S. District Court for the Middle District of Florida

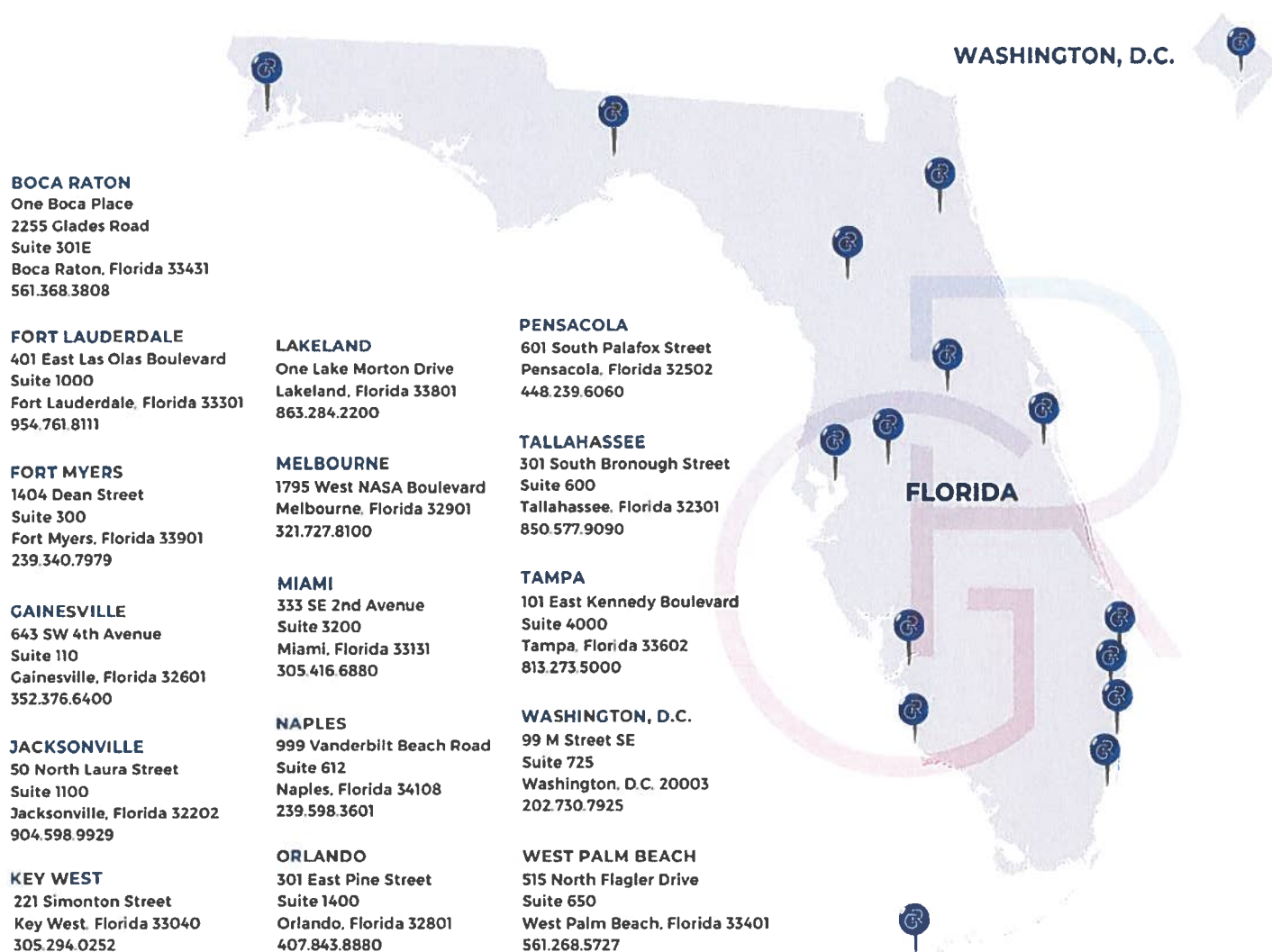
Languages

- American Sign Language

3. Location of primary office from which the lead attorney and other assigned attorneys operate.

GrayRobinson services clients throughout the state of Florida, our nation's capital, across the country, and all over the world from our offices in Boca Raton, Fort Lauderdale, Fort Myers, Gainesville, Jacksonville, Key West, Lakeland, Melbourne, Miami, Naples, Orlando, Pensacola, Tallahassee, Tampa, Washington, D.C., and West Palm Beach.

Lead attorneys, Derek Rooney and Kaylee Tuck, operate primarily out of our Fort Myers office at 1404 Dean Street, Suite 300, Fort Myers, Florida 33901. Additional assigned attorneys, Tom Cloud and Nikki Day, are based in our Orlando and Tampa offices, respectively.



4. Local government experience with emphasis given as to how your experience and expertise in the area(s) addressed by this RLI will be brought to bear on the proposed scope of work indicated below.

GrayRobinson serves as city, county, or town attorney to over a dozen municipalities and general counsel to many special districts and quasi-governmental entities. We have also represented hundreds of clients before governmental entities relating to everything from bidder's protests to complex entitlement and zoning matters and successfully advocated for our client's objectives at all levels of government. We are prepared to attend the City Commission meetings and any other meeting as necessary.

GENERAL MUNICIPAL LAW

For over 50 years, GrayRobinson professionals have engaged in the development and implementation of comprehensive legal services on behalf of Florida's cities, counties, and special districts. Our dynamic and well-rounded team has extensive experience, invaluable relationships, and the vision to meet and exceed our clients' goals before key stakeholders.

The proposed team is exceptionally knowledgeable in government and agency procurement, competitive bidding, bid protests, and contracting policies and requirements. In that regard, we have assisted with negotiation, preparation, and litigation pertaining to a wide variety of client contracts, including various agreements between cities, counties, and state and federal governmental agencies and development agreements. Our litigation team has extensive experience in representing public entities in a variety of matters, including claims involving negligence, employment, contracts, public records, real estate, and many others. Our government affairs experience advocating for (and against) substantive legislation, pursuing worthy consortium arrangements, advocating within and successfully working the amendatory and appropriations processes, and our general understanding of federal, state, and local legislative and executive advocacy makes GrayRobinson ideally suited to serve the City.

GrayRobinson professionals have served as counsel to the State of Florida, the House of Representatives, legislators, cities, and counties throughout the last several decades. Due to our excellent relationships with elected and appointed officials at the local and state levels, we have successfully represented public sector clients before Florida governmental entities on everything from legislative appropriations to procurement, land use matters, and everything in between. In short, the GrayRobinson team is highly involved in Florida's government and political processes, and we understand how state and local government truly work.

Many of GrayRobinson's attorneys and consultants began their careers, or invested portions of them, inside the Florida Legislature, the Governor's Office, and state agencies. In fact, the professionals at GrayRobinson include two former speakers of the Florida House of Representatives; a former secretary of the Florida Department of Environmental Protection; a former chief of staff for the Florida Department of Professional and Business Regulation; a former state Senator; a former Florida House and Senate general counsel; a former Florida governor chief of staff; former counsel to the speaker of the Florida House; multiple local government finance and policy experts; and former political consultants. This inside experience enables GrayRobinson to provide clients with a unique perspective on the most efficient and effective means of meeting their objectives.

ETHICS AND PUBLIC RECORDS

Through the firm's representation of more than 40 counties and municipalities, GrayRobinson has extensive experience and depth in home rule law, public records law, sunshine law, governmental ethics, and all other aspects of governmental operation, including the State Code of Ethics for public officers and employees, as well as the legal requirements related to the fiduciary responsibilities of board members and the proper conduct of board meetings. Our attorneys have facilitated, led, or advised on the proper conduct of board meetings for public and semi-public entities and have executed the drafting, editing, and negotiating of all manner of contracts, agreements, and ordinances.

COMPREHENSIVE PLANNING, LAND USE, AND ZONING

Our government lawyers are recognized throughout the state for their experience and ability to represent both local governments and private sector clients in land use, DRI, zoning, comprehensive planning, and environmental proceedings involving new development. The GrayRobinson land use practice encompasses:

- Large Scale Development
- Financing and Special Districts
- Comprehensive Planning and Zoning
- Administrative and Judicial Litigation
- Environmental Permitting
- Governmental Lobbying
- Utilities and Transportation
- Code Enforcement
- Development Agreements

The firm developed these skills through the representation of local governments. While being aware of political sensitivities, the focus is on the business realities of the project. Our land use attorneys have represented governments, businesses, and individuals in thousands of federal, state, and local land use permit proceedings and transactions. From the point a development is conceived, through financing concerns and due diligence and continuing throughout the project siting, agency permitting process, environmental permitting, subdivision permitting process, infrastructure financing, special district matters (if any), public utility concerns, and construction, GrayRobinson offers a team of accomplished and experienced attorneys that understands their clients desire to steer clear of delays and denials and chart a course toward making the project happen.

REAL ESTATE

The GrayRobinson team represents public entities in the development of commercial, residential, and mixed-use projects in all phases of development. We help landowners obtain all forms of local government approvals, ranging from zoning and comprehensive plan amendments, special exceptions, variances and conditional use permits to the negotiation of development agreements, development orders, and annexation agreements. Our experience involves planned unit developments, subdivision plats, annexation agreements, vested rights, impact fees, utility agreements, concurrency, transportation mitigation, road construction agreements, wetlands mitigation and permitting, and many other aspects of land use and real estate development.

In negotiating and documenting agreements for real property sales or acquisition, development, and infrastructure, our attorneys provide a clear course to "make the project happen." We handle all types of

commercial real estate transactions, representing developers and landowners in the acquisition, development, sale and leasing of major industrial and commercial projects, industrial parks, office complexes, condominiums, apartments, subdivisions, offices, and other developments. We have extensive experience in shepherding major development projects, bringing to the projects not only our experience as lawyers for the property owner but also the insights we've gained while serving as lawyers for local governments.

We have extensive experience in negotiating and preparing the precise documents required to complete complex real estate transactions effectively, and with direct computer links to data, we produce prompt and efficient title information and title insurance for clients.

LABOR AND EMPLOYMENT

The proposed team represents leading public sector employers across Florida in all aspects of labor and employment law. Our team provides strategic counsel to employers on equal opportunity, sexual harassment, labor relations, and wage and hour disputes, including advising on Title VII and Florida Civil Rights Act (discrimination and retaliation), Fair Labor Standards Act (wage and hour matters), Equal Pay Act, Age Discrimination in Employment Act, Family and Medical Leave Act, Americans with Disabilities Act, Worker Adjustment and Retraining and Notification Act, as well as public sector whistleblower statutory provisions. Our team focuses on providing day-to-day counsel and advice to avoid needing to respond to formal administrative agency charges or litigation in either state or federal courts. Once an employee or employee group elects to pursue an administrative charge or files suit, our team vigorously defends public sector employers against collective and class actions as well as single-plaintiff claims.

GENERAL PROCUREMENT / CONTRACTING

GrayRobinson attorneys are exceptionally knowledgeable in government and agency competitive bidding, contracting policies and requirements, and a variety of procurement matters on both the public and private sides. Serving as counsel for multiple local governments, our team has regular oversight over numerous formal solicitations and subsequent protests of those solicitations. In addition, the team has significant experience on the private side, representing vendors before governmental entities on both Requests for Proposals and Invitations for Bids. This representation includes pre- and post-bid work. Our attorneys have substantial experience reviewing and advising staff on these issues, including compliance with state procurement statutes and rules, compliance with the sunshine laws, and bid protests. We have also worked with Federal Acquisition Regulations in the course of reviewing and negotiating contracts and grants with federal agencies.

The GrayRobinson team also assists with negotiation, preparation, and litigation pertaining to a wide variety of client contracts, including various interlocal agreements between cities, counties, and governmental agencies, franchise agreements, and development agreements. We have attorneys who focus solely on the transfer of licenses pertaining to corporate mergers and acquisitions and act as regulatory counsel for manufacturers, distributors, and retailers of various regulated products. Our litigation team has extensive experience with contract development, research, litigation, purchase and sale transactions, and disputes.

CONSTRUCTION PROCUREMENT

Our construction attorneys and lobbyists have decades of legislative and legal experience in construction and design matters, including:

- Public Procurement
- Public Funding
- Florida's Building Code
- Construction Bidding
- Sales and Use Taxes
- Taxes on Design and Construction Services
- PECO Funding
- Seaport and Airport Funding
- State and Local Government Construction Budgets
- Trust Funds
- Public Private Partnerships

CONTRACTS, LEASES, AND INTERLOCAL AGREEMENTS

Our contract negotiation and preparation attorneys provide counsel on complicated ordinances, resolutions, agreements, and financing documents on major projects. We have extensive experience in advising our public sector clients on contract performance and guiding them to dispute resolution, and successfully provide legal work for municipalities in Florida, including best practices for government procurement procedures and regulations.

MUNICIPAL BONDS

The GrayRobinson public finance team has counseled a wide variety of clients through numerous financings and has served as counsel on more than \$23.9 billion in public financing in the past decade alone. The team provides public financing counsel to a variety of clients, including cities, counties, government financing pools, charter schools, housing authorities, port authorities, school boards, tax-exempt organizations, utilities, water support authorities, universities, aviation authorities, and various special districts. GrayRobinson attorneys have been involved in both traditional public finance methods, such as revenue and general obligation bonds and revenue and refunding notes, as well as innovative structures, such as public-private partnership gap financing.

LITIGATION

The GrayRobinson litigation team is committed to providing powerful representation throughout the state of Florida and we are experienced at every level of the court system, including all Florida state courts and all federal courts up through, and including, the U.S. Supreme Court and the Federal Court of Claims. At GrayRobinson, we seek innovative solutions for our clients. As part of our client-centered approach we evaluate all available options to resolve disputes, including negotiation, arbitration, mediation, and other creative yet less obvious solutions. GrayRobinson has built its reputation on efficient, cost-effective, persistent, and determined representation of its clients.

GrayRobinson administrative litigators are experienced in every phase and type of Chapter 120 proceedings on behalf of both governmental agencies and petitioners, and several have extensive experience representing agencies and vendors in administrative and civil litigation matters arising under Chapter 287. Our representation has included rule challenges, bid protests, administrative hearings, contested

disciplinary matters, and licensing issues. We have appeared before the Department of Administrative Hearings, the Florida Real Estate Commission, the Florida Commission on Human Relations, the Department of Business and Professional Regulation, and multiple local government transportation authorities, counties, and school boards.

Our attorneys understand the importance of aggressively managing litigation costs when representing governmental clients in litigation, especially where liability is capped by sovereign immunity. We regularly and successfully defend government clients from the full spectrum of liability exposure, including claim bills filed in the Florida Legislature. In common practice, a claim bill results when a plaintiff seeks compensation through the Florida Legislature for a verdict that is more than the applicable sovereign immunity limits. GrayRobinson attorneys have deep experience successfully defending government clients against claims bills.

CODE ENFORCEMENT

Many GrayRobinson attorneys serve as special magistrates, particularly for code enforcement. Our attorneys work closely with code enforcement staff, law enforcement, and city and county attorneys' offices to conduct hearings and adjudicate code enforcement matters and to render factual findings and conclusions for code enforcement appeals. As former special magistrate for code enforcement for Charlotte County, GrayRobinson worked closely with attorneys, public/private agency representatives, and others who were active participants in the code enforcement proceedings. Members of the GrayRobinson team have heard cases from code compliance officers and deputy sheriffs, issued orders to bring violators into compliance, and heard appeals from alleged violators and affirmed or modified orders of correction as appropriate. We understand the importance of providing services in accordance with city and county ordinances and are conversant with Florida Statutes Chapter 162.

Our land use attorneys have handled virtually every type of planning and zoning proceeding, including land development code drafting, code enforcement compliance, planned unit developments, annexations, rezoning, sector plans, plan amendments, special exceptions, variances, subdivisions, concurrency, transportation agreements, development agreements, vested rights, equitable estoppel, consistency proceedings, property rights/Bert Harris Act litigation, eminent domain, alcohol beverage and liquor licensing, communications permitting, and other related matters.

5. List and description of similar municipal engagements satisfactorily performed within the past three (3) years. For each engagement listed, include the name and telephone number of a representative for whom the engagement was undertaken who can verify satisfactory performance.

CITY OF LABELLE

Contact: Julie Wilkins, Mayor

Address: 481 West Hickpochee Avenue, LaBelle, Florida 33935

Email address: juliewilkins@citylabelle.com

Phone number: (863) 673-4529

Service Summary: GrayRobinson has provided comprehensive City Attorney services since 2017.

CITY OF BONITA SPRINGS

Contact: Arleen Hunter, City Manager

Address: 9101 Bonita Beach Rd SE, Bonita Springs, Florida 34135

Email address: Arleen Hunter arleen.hunter@cityofbonitasprings.org

Phone number: (850) 566-3613

Service Summary: GrayRobinson has provided comprehensive City Attorney services since 2018.

CITY OF WAUCHULA

Contact: Olivia Minshew, City Manager

Address: 125 South 7th Avenue, Wauchula, Florida 33873

Email address: ominshew@cityofwauchula.com

Phone number: (863) 773-3535

Service Summary: GrayRobinson has provided comprehensive City Attorney services since 2013.

6. Any known actual or potential conflicts, including how the Offeror intends to address and resolve.

GrayRobinson is not aware of any current or potential conflict of interest that would arise from our representation of the City of Clewiston and will take the necessary steps to avoid conflicts of interest in the future. If a potential conflict arises, we will seek a waiver from one or both parties. If a waiver or agreement cannot be reached, we will address the issue and withdraw if necessary. The honor of representing the City is one we take seriously, and we will do all that is necessary to ensure the City's interests are not maligned by our concurrent representation of other clients.

7. Whether the Offeror has been involved in litigation within the last five (5) years or any pending litigation arising out of your performance? If yes, please explain.

In any firm with hundreds of clients and nearly 300 attorneys and advisors throughout 16 offices, there may be an occasional dispute between the firm and a client. GrayRobinson and its attorneys have a few disputes involving matters that would be entirely irrelevant to the City's operational and legal or lobbying needs. GrayRobinson is contesting each dispute vigorously and expects to prevail on each or, in the worst case, settle on reasonable terms that will not jeopardize the firm's financial viability. The firm is also fully insured with respect to any pending claims. The GrayRobinson team is proud of its reputation for honest, ethical dealings with its clients. That is our culture, and we will be pleased to bring that culture to the table in the course of representing the City.

8. Firm retainer agreement that Offeror requests to be used if selected noting what other public clients are using such agreement.

GrayRobinson does not utilize a retainer agreement.

C. PRICING

See separate sealed envelope titled "Pricing."

PRICING

The Town is flexible regarding an offer of a fixed price, contract for work performed, or a retainer that provides for specific services and a per hour rate for items not expressed in the retainer.

The response to the RLI shall include a separately sealed envelope that contains the pricing information the Offeror would like the Council to consider during the contract negotiation that will occur with the successful Offeror. Any pricing information will be evaluated after the review of the qualifications, will be considered prior to the award considered negotiable, and will be negotiated in the final contract. The Offeror's proposed price should include information on the hourly billing rates of each attorney or other legal staff who are expected to work on this representation and charges for expenses, if any, such as legal research, copies, and faxes. Also include a monthly flat fee that would be charged to prepare and attend Council meetings as described above, advise on routine matters that could be handled over the telephone or otherwise without extensive research or other legal work.

In representations such as this, GrayRobinson takes a team-based approach to ensure maximum responsiveness and cost efficiency. Derek Rooney and Kaylee Tuck will personally oversee all work done on behalf of the City of Clewiston and attend all City Commission and other meetings as requested. With access to a team of nearly 300 talented attorneys and government affairs advisors, Derek and Kaylee are able to draw on additional expertise when necessary to address any challenges that may arise.

Our attorneys bill hourly for legal services and distribute monthly invoices. Based on the outlined scope of services, we propose an hourly rate of \$300.

**Agenda Item # 2****Agenda Item Memorandum**

TO: City Commission of the City of Clewiston

FROM: David Trouteaud, P.E. Johnson Engineering

VIA: Danny Williams, City Manager

DATE: June 4, 2025

SUBJECT: Discuss and direct staff on how to proceed regarding the Ventura Avenue Project.

Background:

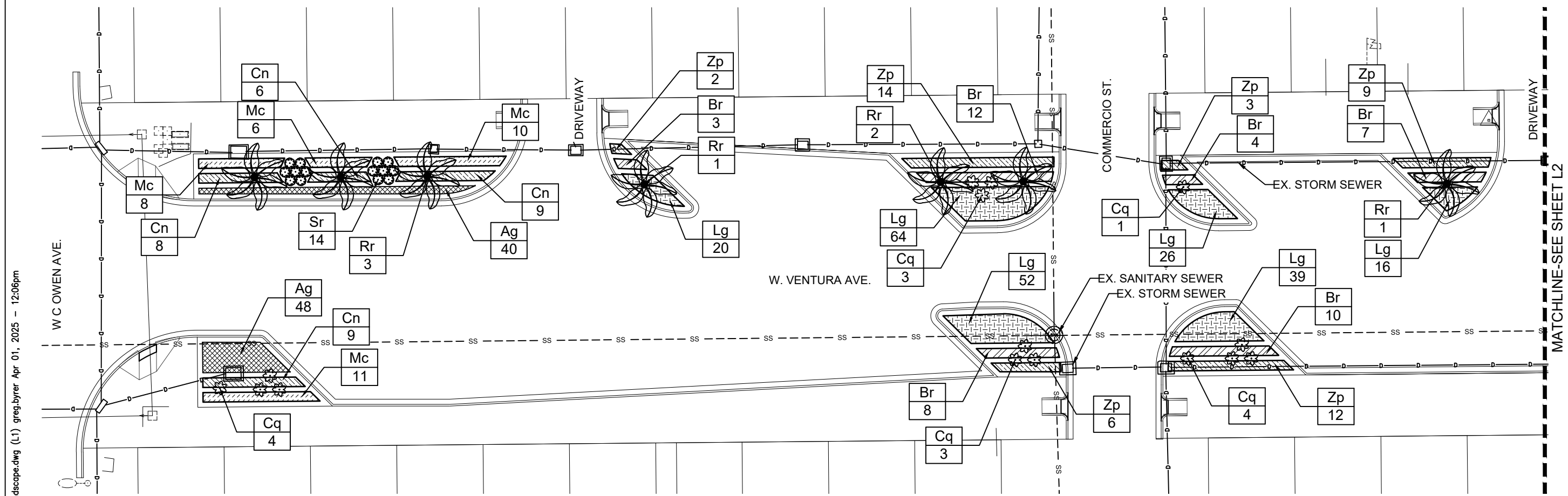
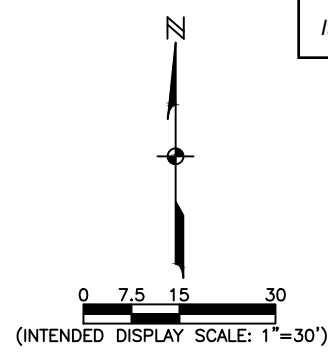
In 2023, the city received \$812,857 SCOP funding for the design, construction and CEI for the resurfacing of West Ventura Avenue from W.C. Owen Avenue to Deane Duff Avenue. Resolution 2023-065 awarded the engineering design and associated services contract to Tetra Tech, Inc.

Resolution 2023-064 awarded the Ventura Avenue Streetscape Project for landscaping design and landscaping and irrigation design service for landscaping improvements within the Ventura Avenue streetscape project limits.

Mr. Trouteaud with Johnson Engineering, LLC will present a progress report to the Commission and will be available to answer questions.

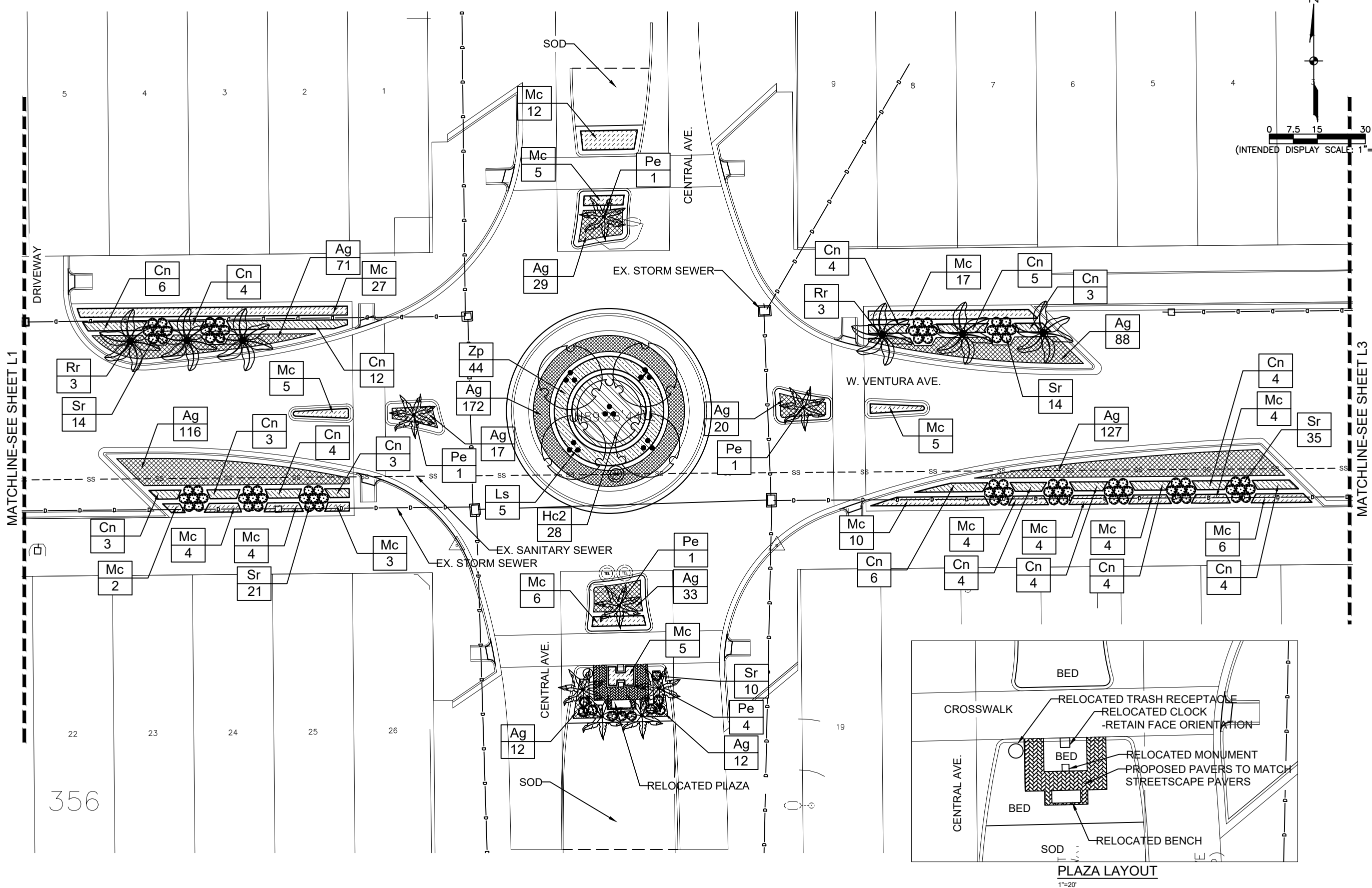
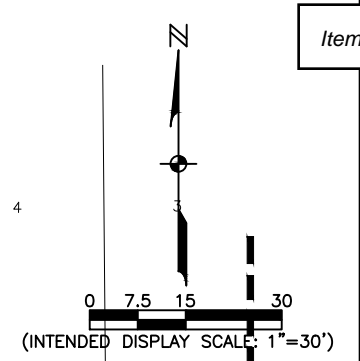
Recommendations:

Direct staff of how you would like to proceed with this item.



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CITY OF CLEWISTON	VENTURA STREETSCAPE W C OWEN AVE. TO S DEANE DUFF AVE.	<div>JOHNSON ENGINEERING</div> <div>— An Apex Company —</div>	JOHNSON ENGINEERING, INC. AN APEX COMPANY 2122 JOHNSON STREET FORT MYERS, FLORIDA 33901 PHONE: (239) 334-0046 E.B. #642 & L.B. #642	LANDSCAPE PLAN				
				DATE JAN 2025	PROJECT NO. 20203262-018	FILE NO. 01-43-34	SCALE AS NOTED	SHEET L1



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CITY OF CLEWISTON

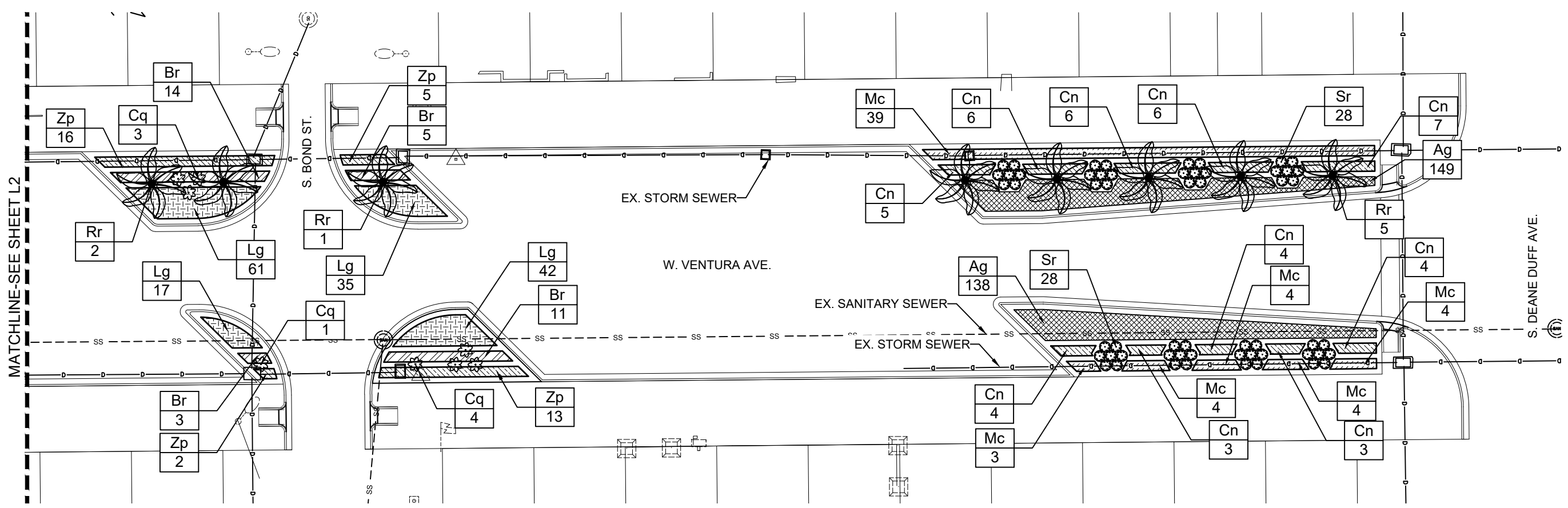
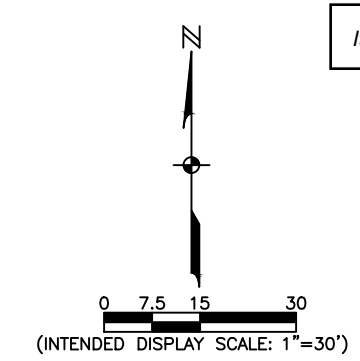
VENTURA STREETSCAPE
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JOHNSON
ENGINEERING
— An Apex Company —

JOHNSON ENGINEERING, INC.
AN APEX COMPANY
2122 JOHNSON STREET
FORT MYERS, FLORIDA 33901
PHONE: (239) 334-0046
E.B. #642 & L.B. #642

LANDSCAPE PLAN

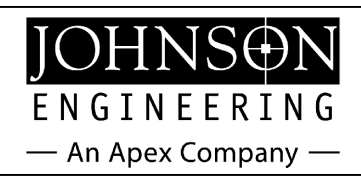
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
JAN 2025	20203262-018	01-43-34	AS NOTED	L2



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CITY OF CLEWISTON

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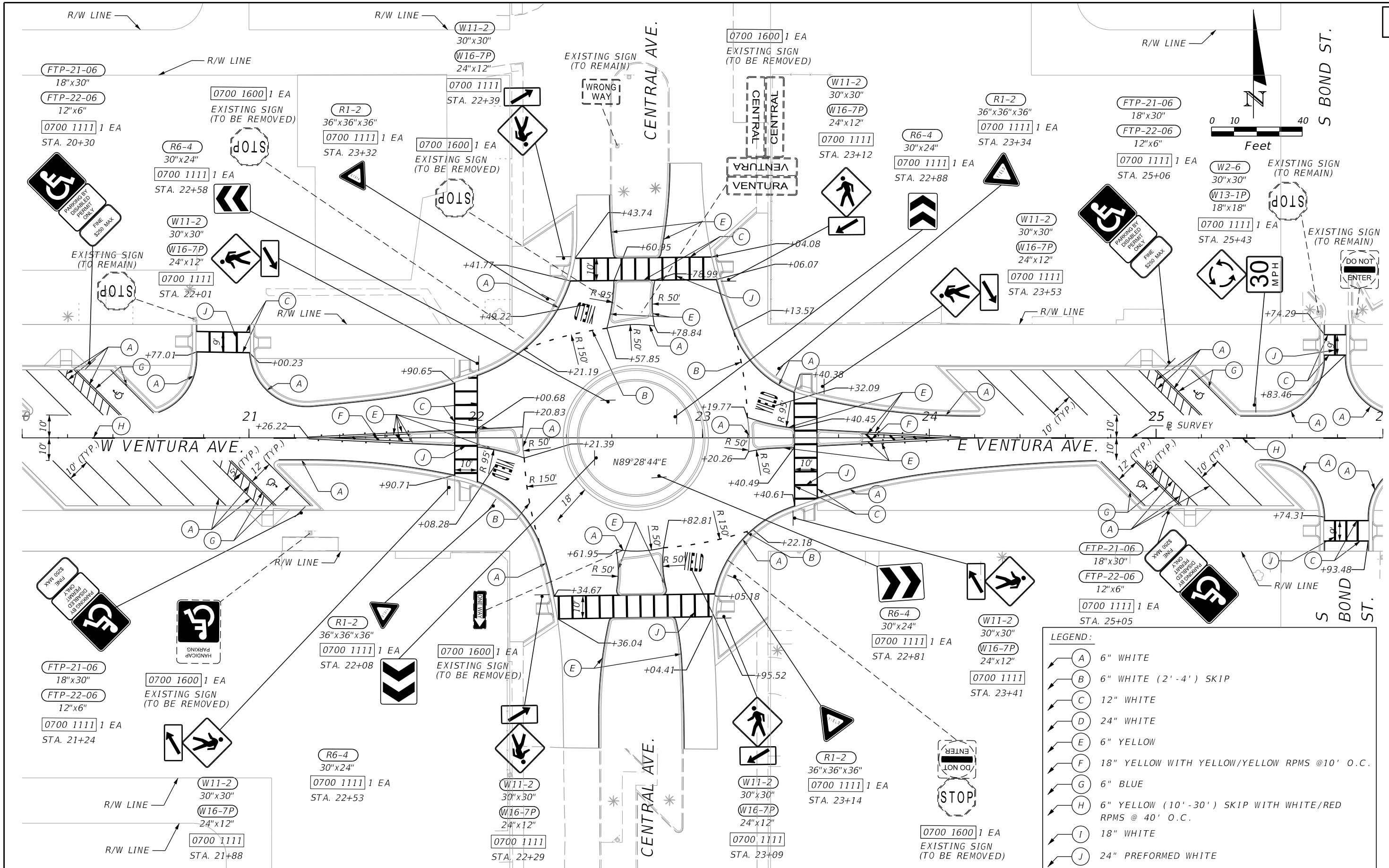
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E.B. #642 & L.B. #642

LANDSCAPE PLAN

DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
JAN 2025	20203262-018	01-43-34	AS NOTED	L3



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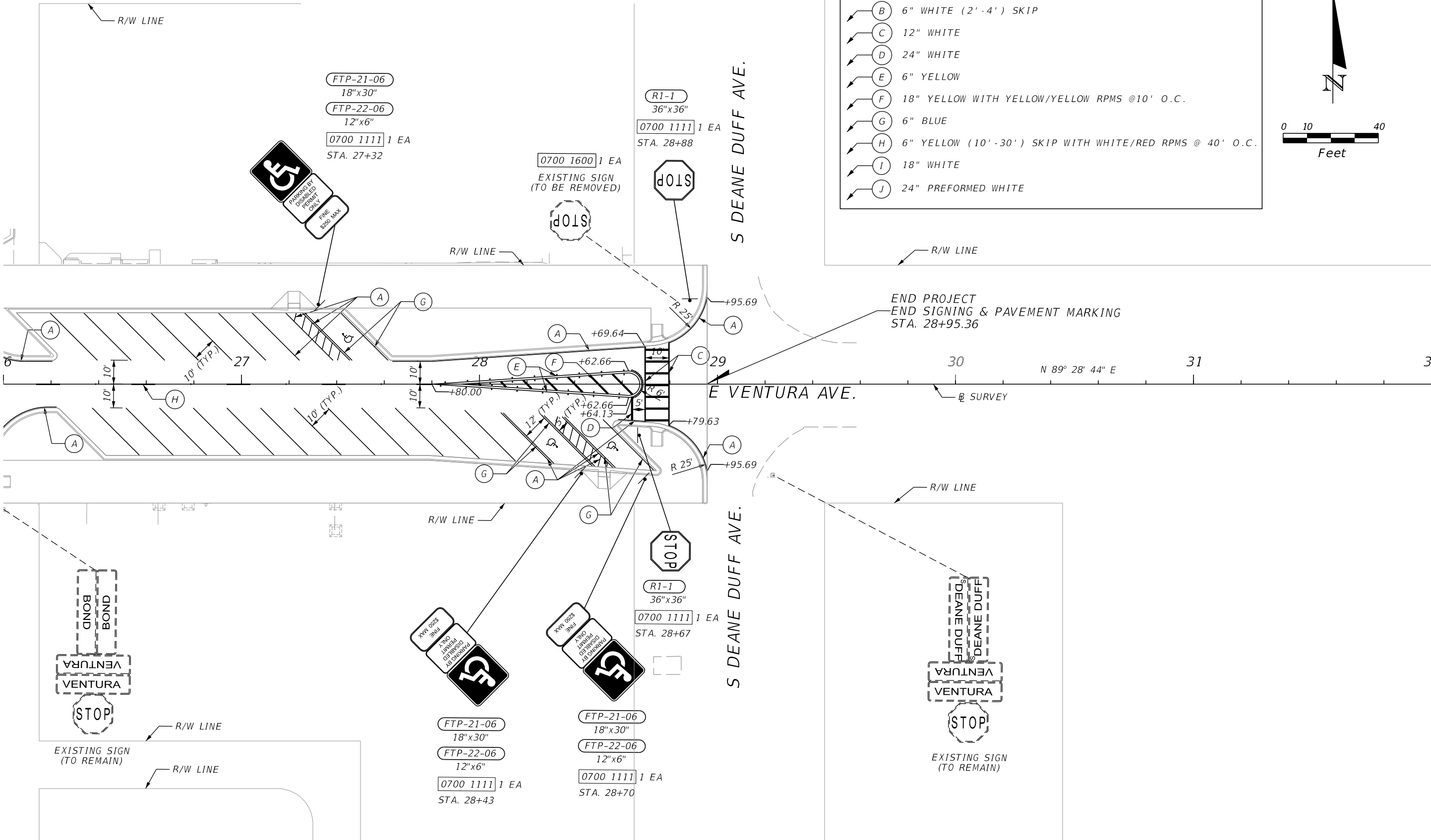
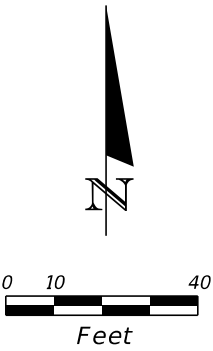
LEGEND:	
A	6" WHITE
B	6" WHITE (2' - 4') SKIP
C	12" WHITE
D	24" WHITE
E	6" YELLOW
F	18" YELLOW WITH YELLOW/YELLOW RPMS @ 10' O.C.
G	6" BLUE
H	6" YELLOW (10' - 30') SKIP WITH WHITE/RED RPMS @ 40' O.C.
I	18" WHITE
J	24" PREFORMED WHITE

REVISIONS				ENGINEER OF RECORD	STATE OF FLORIDA CITY OF CLEWISTON			SIGNING AND PAVEMENT MARKING PLAN	SHEET NO.
DATE	DESCRIPTION		DATE	DESCRIPTION	ROAD NO.	COUNTY	FINANCIAL PROJECT ID		26
				JACOB NUSSEL, P.E. LICENSE NUMBER: 84373 TETRA TECH, INC. 201 EAST PINE STREET, SUITE 1000 ORLANDO, FL 32601	VENTURA	HENDRY	449667-1-54-01		

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

LEGEND:

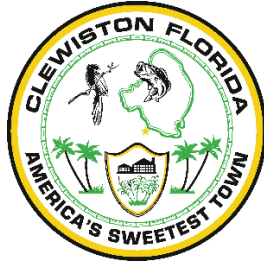
- A 6" WHITE
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- G 6" BLUE
- H 6" YELLOW (10' - 30') SKIP WITH WHITE/RED RPMS @ 40' O.C.
- I 18" WHITE
- J 24" PREFORMED WHITE



REVISIONS				ENGINEER OF RECORD		STATE OF FLORIDA CITY OF CLEWISTON			SHEET NO. 27
DATE	DESCRIPTION	DATE	DESCRIPTION	JACOB NUSSEL, P.E. LICENSE NUMBER: 84373 TETRA TECH, INC. 201 EAST PINE STREET, SUITE 1000 ORLANDO, FL 32601		ROAD NO.	COUNTY	FINANCIAL PROJECT ID	
						VENTURA	HENDRY	449667-1-54-01	

SIGNING AND PAVEMENT
MARKING PLAN

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.

**Agenda Item # 3****Agenda Item Memorandum**

TO: City Commission of the City of Clewiston

FROM: David Trouteaud, P.E. Johnson Engineering

VIA: Danny Williams, City Manager

DATE: June 4, 2025

SUBJECT: Discuss and direct staff on how to proceed regarding the Ventura Avenue Project.

Background:

In 2023, the city received \$812,857 SCOP funding for the design, construction and CEI for the resurfacing of West Ventura Avenue from W.C. Owen Avenue to Deane Duff Avenue. Resolution 2023-065 awarded the engineering design and associated services contract to Tetra Tech, Inc.

Resolution 2023-064 awarded the Ventura Avenue Streetscape Project for landscaping design and landscaping and irrigation design service for landscaping improvements within the Ventura Avenue streetscape project limits.

Mr. Trouteaud with Johnson Engineering, LLC will present a progress report to the Commission and will be available to answer questions.

Recommendations:

Direct staff of how you would like to proceed with this item.

HENDRY COUNTY EMERGENCY SERVICES COUNCIL

Bylaws

ARTICLE I

Name

Section 1. The name of this group shall be the Hendry County Emergency Services Council.

ARTICLE II

Purpose

Section 1. The purpose and scope of the activities of this Council shall include the following:

- A. To study and analyze problems associated with providing emergency services throughout the Hendry County service area.**
- B. To develop and promote standards for those providing emergency services throughout the Hendry County service area.**
- C. To encourage and assist in the training and education of the agencies responsible for providing emergency services.**
- D. To foster and promote research and utilization of improved methods of emergency services.**
- E. To develop the concept that emergency service providers must be prepared to adequately handle major disasters involving a large portion of the community.**
- F. To identify problems within Hendry County that could pose a threat to:**
 - a. Life Safety**
 - b. Property Preservation and Community Resiliency**
 - c. Protection of the Environment**

- G. To present items to the Board of County Commissioners that have been voted on by the Council as “posing a threat” to items identified in Article II, Section 1.**
- H. To serve as the Local Emergency Management Stakeholder Advisory Committee, a non-binding body that meets at least annually (State of FL FY) during the regularly scheduled Council meeting to provide input on Emergency Management program preparation, implementation, evaluation and revisions, in accordance with EMPA Grant funding requirements.**

ARTICLE III

Membership

Section 1. The membership of the Hendry County Emergency Services Council shall be composed of the following organizations:

City of Clewiston
City of LaBelle
Fire Departments
 Clewiston Fire Department
 Felda Fire Department
 LaBelle Fire Department
 Montura-Flaghole Fire Department
 Pioneer Plantation Fire Department
Hendry County BOCC
Hendry County Administrator
Hendry County Public Safety – E911
Hendry County Public Safety – Emergency Management
Hendry County Public Safety – Fire/EMS
Law Enforcement:
 Clewiston Police Department
 Hendry County Sheriff’s Office

Each organization shall be entitled to one representative and one alternate. The names of the designated representative shall be submitted in writing to the Council. Each organization shall also designate, in writing, an alternate representative. In the absence of the representative, an alternate will represent their agency. Only the

named representative (or the named alternate in the representative's absence) shall be permitted to vote.

ARTICLE IV

Meetings

Section 1. The Council shall hold regular meetings not less often than quarterly, at such time and place as designated by the Council Chair.

Section 2. Special meeting of the Council may be called at any time by the Council Chair.

Section 3. Notice of the time, place and purpose of all regular meetings and special meetings of the Council shall be mailed (emailed) to each member of the Council, not less than five days before such meetings, whenever possible.

Section 4. One-third of all voting members present at meetings of the Council shall constitute a quorum for the transaction of any business at any regular or special meeting of the Council.

Section 5. Each named organization representative, or named organization alternate, shall be entitled to one vote at any meeting of the Council.

Section 6. All members of the Council shall be required to attend at least 50% of the annual regular and special meetings as mentioned above in Section 1 and 2 of the Article. An annual absence from more than 50% of the meetings without acceptable cause shall be considered as resignation from the Council.

Section 7. The Council shall maintain a permanent record of all proceedings at its regular and special meetings. An accurate record of the minutes shall be kept. The mechanism shall be established by the Council and may be accomplished by use of an electronic recording unit, detailed transcription, or by taking of adequate minutes.

ARTICLE V

Committees

Section 1. The Council Chair is empowered to appoint with the approval of the Council, such permanent or standing committees as are deemed necessary for the successful execution of the Council programs.

Section 2. A nominating Committee shall present at the fourth quarterly meeting a slate of nominees for officers of the Council for the upcoming term. The Nominating Committee shall be composed of three members of the Council appointed by the Council Chair.

ARTICLE VI

Officers

Section 1. The members of the Council shall elect the following Officers at the fourth quarterly meeting:

- A. Council Chair
- B. Council Vice-Chair

Section 2. The term of office of all Officers of the Council shall be one year. The term will begin at the first meeting following the election.

ARTICLE VII

Fiscal Year

Section 1. The fiscal year of the Council shall be from the first day of January to the last day of December, inclusive.

ARTICLE VIII

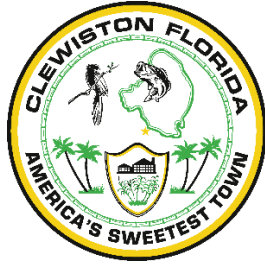
Section 1. These bylaws may be amended by the two-thirds vote of the membership present by voting at any regular or special meeting of the Council after notice of such proposals for an amendment has been given to all members as provided in these Bylaws.

Section 2. Notice of any proposed amendment shall be submitted in writing to all members of the Council not less than (30) days prior to the meeting at which such amendments are to be considered.

ARTICLE IX

Rules of Procedure

Section 1. All meetings of the Emergency Services Council and any permanent standing committees shall be conducted and governed by Parliamentary Procedure and usage as contained and set forth in “Robert’s Rules of Order-Revised Edition” unless otherwise provided for in these Bylaws or except where modifications of such rules is required because of the nature of the work to be accomplished by this Council.



Agenda Item # 4

Agenda Item Memorandum

TO: City Commission of the City of Clewiston

FROM: Lakisha Burch, City Clerk

VIA: Danny Williams, City Manager

DATE: June 4, 2025

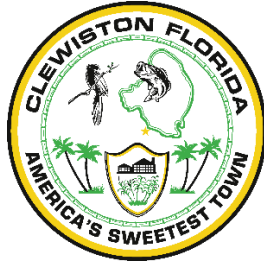
SUBJECT: Discuss and direct staff on how to proceed regarding the City of Clewiston's Comprehensive Plan.

Background:

At the last Commission meeting held on May 19, 2025, it was asked that this topic be on the agenda for the Commission Workshop/Special Meeting that will be held on June 4, 2025.

Recommendation:

Discuss and direct staff on how to proceed regarding the City of Clewiston's Comprehensive Plan.

**Agenda Item # 5****Agenda Item Memorandum**

TO: City Commission of the City of Clewiston

FROM: Travis Reese, Fire Chief

VIA: Danny Williams, City Williams

DATE: June 4, 2025

SUBJECT: Discuss and direct staff on how to proceed regarding the Downtown District.

Background:

- On July 20, 2015, the City Commission adopted ordinance 2015-02 amending the Future Land Use Map to include two new districts, known as the US 27 Commercial Corridor and Downtown Commercial Districts.
- On October 17, 2022, the City Commission adopted ordinance 2022-10 approving the zoning regulations establishing the US 27 Commercial Corridor.
- On May 15, 2023, the City Commission adopted ordinance 2023-03 rezoning the lots located within the US 27 Commercial Corridor as indicated on the map.
- During the Commission meeting held on Monday, May 16th, 2025, the Commission expressed a desire to proceed with the development of regulations for the Downtown District. Attached is a map that delineates the eight-block area proposed for rezoning.
- The area extending from WC Owen to Deane Duff along US 27, continuing south to Alverde Avenue, is designated as part of the Downtown Commercial District, as indicated on the Future Land Use Map (FLUM) adopted on July 20, 2015. The current zoning classifications are C Commercial and P Public.

Recommendation:

We recommend the creation of an Ordinance for this district that outlines permitted uses and architectural design standards to promote pedestrian engagement and foster a sense of community.

DIVISION 15. DOWNTOWN DISTRICT

Sec. 110-601. Purpose.

The purpose of the Downtown District is to promote the redevelopment and enhance the opportunity for a more vibrant community center. The District provides for development of a variety of nonresidential uses complemented by residential uses at urban densities designed to support a vibrant pedestrian-oriented environment.

Downtown District zoning district is intended to allow both multiple-family residential and commercial uses. It is intended to provide a variety of small-scale office and service uses that are compatible with medium to medium high density (generally eight (8) to fourteen (14) dwelling units per acre) residential uses and which may be combined on the same parcel. The Downtown zoning district is consistent with the mixed use land use designation of the General Plan. These requirements are intended to provide a pleasant, attractive, and safe business and residential environment for the convenience and benefit of business owners, residents and customers, and to foster an environment of economic growth and redevelopment in the City of Clewiston.

The Downtown District designation and development standards contained herein shall apply to all lands within the district at the date of adoption of this division and to all future expansions of the district. All requirements of chapter 110, Zoning, also apply in the Downtown District; section 110-601 through section 110-618 are additional requirements of the District. When the Downtown District requirements conflict with other provisions of chapter 110, the more stringent requirements shall be applied.

Sec. 110-602. Permitted uses.

Permitted uses within the Downtown District are as follows:

- **Retail:** Clothing stores, jewelry shops, bookstores, antique stores, souvenir shops, grocery stores
 - **Food and beverage:** Restaurants, cafes, bars, bakeries, ice cream parlors
 - **Services:** Hair salons, barbershops, nail salons, dry cleaners, laundry services, shoe repair shops
 - **Financial institutions:** Banks, credit unions, financial advisors
 - **Professional services:** Law offices, accounting firms, real estate agencies
 - **Healthcare:** Dental offices, medical clinics, pharmacies
 - **Entertainment:** Movie theaters, live music venues, art galleries, museums
 - **Lodging:** Hotels, bed and breakfasts
 - **Office buildings:** Corporate offices, government offices
 - Apartments and condominiums
 -
- (13) Indoor and outdoor vehicular sales such as automobile, motorcycle, and all-terrain vehicles and boat and boat trailer and utility trailer sales.

- (14) Laundries and dry-cleaning plants, which do not use flammable solvents.
- (16) Newsstand.
- (19) Theaters.
- (21) Public assembly buildings.
- (22) Repair and service of personal, household, and office items and equipment.
- (26) Veterinary and animal hospitals, subject to the following conditions and limitations:
 - (a) Adequate soundproofing in any area where animals are contained or treated.
 - (b) No exterior cages.
 - (c) Fenced or walled walking areas are permitted subject to all other land development code requirements. At no time shall an animal be unsupervised nor shall runs nor cages be permitted in the outside walking area.
 - (d) Shall contain an approved air-handling system for disinfection and odor control. (e) Shall contain adequate waste control facilities, such as a flush system or equal.
 - (f) Shall contain no crematory facilities.
 - (g) Such facility shall contain a minimum of twenty-five hundred (2,500) square feet.
 - (h) All boarding activities shall be ancillary to the primary use.
- (25) Microbrewery, subject to the following conditions:
 - (a) A copy of federal and state permits and/or licenses shall be provided to the city each calendar year.
 - (b) No more than fifty (50) percent of the gross floor area may be occupied by the combined brewing operations.
 - (c) No distribution of malt beverages by commercial vehicles.

(Ord. No. 2022-10, § 1, 10-17-2022)

Sec. 110-603. Conditional uses.

The following uses are not permitted in the US 27 Commercial Corridor District, but may be authorized by the imposition of conditions of approval, if all negative impacts are ameliorated by those conditions:

- (1) Liquor store.
- (2) Nightclubs, lounges, bars.
- (3) Repair and services for automobiles, trucks, boats, recreational vehicles, and other automotive equipment.
- (4) Pawn shops.
- (5) Payday, check cashing or deferred deposit loan businesses.
- (6) Tobacco retailers.
- (7) Extended-stay hotel or motel, with occupancy limits for each unit established by condition.
- (8) Kindergarten and daycare facilities.

- (9) Vocational schools, limited to office-oriented vocations, such as, but not limited to secretarial, business, real estate and computer programming.
- (10) Automatic amusement centers/game rooms.
- (11) Limited residential use must be in harmony with overall development and not as a primary or principal use and not allowed on ground floor.

(Ord. No. 2022-10, § 1, 10-17-2022)

Sec. 110-604. Development standards.

Setback requirements.

- (1) *Street side.* All parcels shall have a minimum street side yard setback of four feet and, for every ten feet the building length exceeds 150 feet, an additional one foot of setback shall be required, up to the maximum of 30 feet. Street side yard setbacks shall be measured from back of street property line. Reduction in front yard setback may be approved by the TRC if additional conditions are met.
- (2) *Interior side yard.* The minimum interior side yard shall be 12 feet, except that the interior side yard setback may be reduced to zero on one side of the lot provided that:
 - a. A wall constructed of brick or maintenance-free masonry material with a stucco finish is constructed at the zero-setback side, and the opposite side yard is increased to 24 feet.
 - b. In the event that two contiguous property owners desire to construct buildings using zero side yard setbacks, utilizing a common driveway for ingress and egress to the rear of both properties, said opposite side yard may be reduced to 12 feet provided easements are obtained and recorded ensuring a 24-foot minimum separation between the two buildings for ingress and egress to the rear of the property. This 24-foot accessway shall be maintained free of obstructions skyward and with no openings that would facilitate any loading or unloading, in any portion of the buildings which fronts on the easement.
- (3) *Rear yard.* There shall be a minimum rear yard setback of feet.
- (4) *Height.* Maximum height of building in the Downtown District shall not exceed 55 feet.

*Special exception height allowance may be authorized by the imposition of additional conditions of approval, if all negative impacts are ameliorated, height maximum may be increased not to exceed 75 feet.

(Ord. No. 2022-10, § 1, 10-17-2022)

Sec. 110-605. Reserved.

Sec. 110-606. Trash receptacles.

- (a) All properties must comply with chapter 74, article VI.
- (b) Trash receptacles located on public sidewalks for use by pedestrians shall be consistent with the size and style approved by city public works department.

(Ord. No. 2022-10, § 1, 10-17-2022)

Sec. 110-607. Parking.

(a) *Alternative parking plans (APP).* An alternative parking plan is a means to meet vehicle parking requirements other than providing parking spaces on site in accordance with Code requirements. Applicants seeking to meet the requirements of this section by alternative means shall be required to secure approval of an alternative parking plan by the technical review committee (TRC).

(1) *Contents:* Alternative parking plans shall be submitted in a form and with such documentation as established by the community development director. At a minimum, such plans shall include the parking alternative and rationale for how the alternative will compensate for the provision of the required parking on site.

(2) *Eligible alternatives:* Potential alternatives to be considered include, but are not limited to:

Shared parking: Shared parking is encouraged to promote efficient use of land and resources by allowing users to share off-street parking facilities for uses that are located near one another and that have different peak parking demands or different operating hours. Shared parking shall be subject to the following standards:

- a. *Location.* Shared off-street parking spaces shall be located no further than 600 feet from the buildings and uses they are intended to serve.
- b. *Shared parking agreement.* A shared parking plan shall require an application for shared parking and submission of a shared parking agreement, acceptable to the community development director and city attorney, which shall include an agreement by the owners(s) of record of the parking area and of the applicant. The owner who has applied for shared parking shall be responsible for recording the shared parking agreement in the county's official records and providing copies of the recorded agreement to the city prior to the issuance of site plan approval. The agreement shall specify that the shared spaces are not leased for a use that operates during the same time frame and would create a conflict. The agreement shall specify the time frame, number, and location of spaces to be shared.
- c. *Site plan.* A site plan shall be submitted to indicate the spaces that are to be shared, the location and access to the properties to be served, the number of spaces, and the projected time of use of the properties which are sharing the spaces.
- d. *Changes in uses or other conditions.* Once established, in order to maintain compliance with a shared parking agreement, the owner shall take one of the following actions to address any change in the uses identified in the agreement which would cause an increase in parking demand or to address a finding of any other related change in conditions by the community development director:
 1. Submit a new shared parking plan agreement approved by the community development director with an application to officially amend the shared parking plan approval for the property.
 2. Provide the required number of parking spaces for each use to negate the need for shared parking and submit an application to officially amend the site plan approval accordingly.
 3. Revise the existing shared parking agreement addressing the changes.

Until such action is taken a certificate of zoning compliance shall not be approved for any proposed use on the property subject to the shared parking agreement which generates a parking demand, as determined by the town's parking requirements, which exceeds that of the previous use identified in the shared parking agreement.

- (3) *Credit for on-street parking spaces.* On-street parking spaces may be used to satisfy 50 percent of the requirements for off-street parking. Such on-street parking may be located in the public right-of-way and shall be located within 1,000 feet of the use. All such spaces must meet size and delineation requirements.
- (4) *Bicycle parking.* The TRC may approve a reduction in the number of required off-street parking spaces for developments or uses that provide bicycle parking or that make special provisions to accommodate bicyclists.
 - a. Bicycle parking shall be located and clearly designated in a safe and convenient location, at least as convenient as the majority of auto spaces provided.
 - b. Facilities shall be designed to accommodate U-shaped locking devices and shall support bicycles in a stable position without damage to wheels, frame or other components and shall be securely anchored and of sufficient strength to resist vandalism and theft.
- (b) *Parking lot landscaping.* The following shall apply:
 - (1) A landscaped area shall have a minimum width of two feet, excluding curbs, retaining walls or similar enclosing structures.
 - (2) All front yard perimeter landscaping shall include concrete, masonry or metal barriers to contain and/or protect landscaping materials.

(Ord. No. 2022-10, § 1, 10-17-2022)

Sec. 110-608. Landscape requirements.

All areas not improved for parking, or occupied by a structure, or paved walkway, shall be landscaped in accordance with the landscaping requirements as follows:

- (1) *Quality.* Plant materials used in conformance with the provisions of this article shall conform to the standard for Florida No. 1 or better, as given in Grades and Standards for Nursery Plants, part I, 1963, and part II, published by the state department of agriculture, or equal.
- (2) *Trees.* Tree species shall have a minimum of five feet of clear trunk immediately after planting. Trees of species whose roots are known to cause damage to public roadways or other public works shall be prohibited.
- (3) *Shrubs and hedges.* Shrubs and hedges shall be a minimum of two feet in height when measured immediately after planting. Hedges, where required, shall be planted and maintained so as to form a continuous unbroken solid visual screen within one year after time of planting. At intersections and driveways, shrubs cannot be more than 24 inches high at maturity and any tree, in the visibility triangle, must have at least seven feet of clear trunk immediately after planting.
- (4) *Vines.* Vines shall be a minimum of 30 inches in height immediately after planting and may be used in conjunction with fences, screens or walls to meet physical barrier requirements as specified.
- (5) *Ground covers.* Ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage and shall be used with a decorative mulch, such as pine or cypress bark or other material of a similar nature. In no instance shall stone or gravel be utilized for more than 20 percent of the ground cover area.
- (6) *Plan approval.* All new construction, prior to the issuance of a building permit, must have a landscape plan approved by the TRC. The landscape plan shall be drawn to a scale not less than one inch equals 20 feet and shall include all pertinent dimensions, walls, parking spaces, and vehicular use areas, buildings and accessory structures, pools, ponds and waterways, hydrants and irrigation systems,

landscape materials, including types and location of planting protective devices, and a stormwater management plan with calculations.

- (7) *Installation.* All landscaping shall be installed in accordance with the landscape plan prior to issuance of a certificate of occupancy. All landscaping shall be installed in accordance with accepted landscape practices.
- (8) *Maintenance.* The owner and tenant, if any, shall be jointly and severally responsible for the maintenance of all landscaping, and landscaped areas shall be so maintained as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. If trees, shrubs, or other landscape material should die, such materials must be replaced within 30 days.
- (9) *Preservation of existing plant material.* Where healthy plant material exists on a site prior to its development, an applicant will be encouraged to retain such landscaping where possible.
- (10) *Landscaped areas.* 50 percent of all lot lines fronting a public street shall be landscaped.
- (11) *Other materials.* Required landscaped areas shall be adequately landscaped with shrubs, grass, ground cover, or other approved landscape treatment. The TRC may approve alternative landscaping plans that include container plantings.
- (12) *Areas abutting an interior property line.* On any parcel providing an off-street parking area or other vehicular use area, storage area, outdoor dining area, or loading area there shall be provided landscaping between such area and the property line as follows:

Areas abutting to residential zoning: Where such area abuts property zoned for residential for that portion not entirely screened visually by an intervening structure or conforming buffer on the subject property, there shall be provided a landscaped buffer.

(Ord. No. 2022-10, § 1, 10-17-2022)

Sec. 110-609. Fences, walls and hedges.

Fences, walls and hedges shall be constructed and maintained in accordance with section 110-524 Fences, walls and hedges with the following exceptions:

- (1) Chain link fences and other wire fences are prohibited in front yard of lots in the US 27 Commercial Corridor District. Other fencing subject to TRC approval.
- (2) Barbed wire and razor wire are prohibited.

(Ord. No. 2022-10, § 1, 10-17-2022)

Sec. 110-610. Outside storage.

Except as expressly permitted by this section, no material, refuse, machinery, merchandise, or vehicles shall be stored outside of any enclosed structure within this district. This requirement shall not apply to the following:

- (1) Placement, storage, or keeping of construction equipment, tools, supplies, material, pallets, and all other material related to new construction, provided that all required permits have been obtained for that construction, and that all materials and products shall be removed from the premises promptly upon completion of that construction.
- (2) Motorized vehicles, boats or recreational vehicles for sale by an authorized dealer provided such outdoor storage is solely for display of vehicles immediately available for sale or lease.

- (3) Other outside storage uses as expressly permitted under a final site plan approval by the TRC.
(Ord. No. 2022-10, § 1, 10-17-2022)

Sec. 110-611 Accessory structures.

Accessory structures located within the Downtown District must comply with the following regulations.

- (1) All accessory uses shall not exceed 30 percent of the gross floor area of the principal use. An accessory use shall be located on the same lot as the principal use, except for off-site parking, as approved by a valid development order.
- (2) Maximum height shall not exceed the principle structure or 20 feet in height.
- (3) Accessory structures shall not be used as living quarters.
- (4) Shall not be located on street side or front yard of parcel.
- (5) Exterior of structure shall match the principal building aesthetically.

(Ord. No. 2022-10, § 1, 10-17-2022)

Secs. 110-612—110-623. Reserved.

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA RELATING TO ZONING REGULATIONS; AMENDING ARTICLE V, CHAPTER 110, ENTITLED "DISTRICTS AND DISTRICT REGULATIONS" OF THE CITY CODE; PROVIDING FOR ENACTMENT OF SECTION 110-501 THROUGH SECTION 110-518, ENTITLED "US 27 COMMERCIAL CORRIDOR DISTRICT ZONING REGULATIONS"; AMENDING SECTION 110-149 TO ADD A NEW ZONING DISTRICT; AMENDING SECTION 110-2 TO ADD NEW DEFINITIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Clewiston desires to create Division 14 "US 27 Commercial Corridor District Zoning Regulations", of Article V, "Districts and District Regulations", of Chapter 110, "Zoning", governing the zoning and land use of the US 27 Commercial Corridor District.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, AS FOLLOWS:

SECTION 1. US 27 Commercial Corridor District. The Clewiston Code of Ordinances is hereby amended and Division 15, "US 27 Commercial Corridor District", Article V, "Districts and District Regulations", of Chapter 110, "Zoning" is hereby created to read as follows:

Sec. 110-501. Purpose.

The purpose of the US 27 Commercial Corridor District is to provide lands for business and industry which support the economic base of the city and contribute to its economic growth and self-sufficiency. The US 27 Commercial Corridor District uses shall include commercial activities consisting of mixed-use not likely to be objectionable to neighboring properties. The US 27 Commercial Corridor District development standards provided herein are intended to result in new commerce that is attractive in appearance for the benefit of the property, the City of Clewiston and the owners and/or lessees of all lots within the US 27 Commercial Corridor. These requirements are intended to provide a pleasant, attractive, and safe business environment for the convenience and benefit of business owners and customers, and to foster an environment of economic growth and redevelopment in the City of Clewiston.

The US 27 Commercial Corridor District designation and development standards contained herein shall apply to all lands within the district at the date of adoption of this division and to all

future expansions of the district. All requirements of Chapter 110, Zoning, also apply in the US 27 Commercial Corridor District; Section 110-501 through Section 110-518 are additional requirements of the District. When the US 27 Commercial Corridor District requirements conflict with other provisions of Chapter 110, the more stringent requirements shall be applied.

Sec. 110-502. Permitted uses.

Permitted uses within the US 27 Commercial Corridor District are as follows:

1. Appliance and furniture stores.
2. Bakeries, confectionery providing on-premises retail sales.
3. Clinics, medical and dental out-patient only.
4. Commercial or municipal parking lots or garages.
5. Commercial recreation facilities, including marinas.
6. Convenience food and beverage store.
7. Department stores.
8. Financial institutions with or without drive-thru teller units.
9. Gasoline service stations.
10. General retail establishments.
11. Hardware, paint, and garden supplies.
12. Hotels or motels.
13. Indoor and outdoor vehicular sales such as automobile, motorcycle, and all-terrain vehicles and boat and boat trailer and utility trailer sales.
14. Laundries and dry-cleaning plants, which do not use flammable solvents.
15. Mortuary and funeral homes.
16. Newsstand
17. Personal services (including, but not limited to, barbershops, beauty salons, spas).
18. Pharmacy.
19. Theaters.
20. Professional services.
21. Public assembly buildings.
22. Repair and service of personal, household, and office items and equipment.
23. Restaurants.
24. Shopping centers.
25. Supermarkets.
26. Veterinarian clinics.

Sec. 110-503. Conditional Uses.

The following uses are not permitted in the US 27 **Commercial** Corridor District, but may be authorized by the imposition of Conditions of Approval, if all negative impacts are ameliorated by those conditions:

1. Liquor store.
2. Nightclubs, Lounges, Bars.
3. **Repair and services for automobiles, trucks, boats, recreational vehicles, and other automotive equipment.**
4. **Pawn shops.**
5. **Payday, check cashing or deferred deposit loan businesses.**
6. **Tobacco retailers.**
7. **Extended-stay hotel or motel, with occupancy limits for each unit established by condition.**
8. **Kindergarten and daycare facilities.**
9. **Vocational schools, limited to office-oriented vocations, such as, but not limited to secretarial, business, real estate and computer programming.**
10. **Automatic amusement centers/game rooms.**
11. **Limited residential use must be in harmony with overall development and not as a primary or principal use and not allowed on ground floor.**

Sec. 110-504. Development standards.

Setback requirements

1. *Street side.* All parcels shall have a minimum street side yard setback of (4) four feet and, for every ten feet the building length exceeds 150', an additional 1 foot of setback shall be required, up to the maximum of 30 feet. Street side yard setbacks shall be measured from back of street property line. Reduction in front yard setback may be approved by the TRC if additional conditions are met.
2. *Interior side yard.* The minimum interior side yard shall be 12 feet, except that the interior side yard setback may be reduced to zero on one side of the lot provided that:
 - a. A wall constructed of brick or maintenance-free masonry material with a stucco finish is constructed at the zero-setback side, and the opposite side yard is increased to 24 feet.
 - b. In the event that two contiguous property owners desire to construct buildings using zero side yard setbacks, utilizing a common driveway for ingress and egress to the rear of both properties, said opposite side yard may be reduced to 12 feet provided easements are obtained and recorded ensuring a 24-foot minimum separation between the two buildings for ingress and egress to the rear of the property. This 24-foot accessway shall be maintained free of obstructions skyward and with no openings that would facilitate any loading or unloading, in any portion of the buildings which fronts on the easement.
3. *Rear yard.* There shall be a minimum rear yard setback of 5 feet.
4. *Height.* Maximum height of building in the US 27 **Commercial** Corridor District shall not exceed 55 feet.

*Special exception height allowance may be authorized by the imposition of additional conditions of approval, if all negative impacts are ameliorated, height maximum may be increased not to exceed 65 feet.

Sec. 110-506. Trash receptacles.

- A. All properties must comply with Chapter 74, Article VI.
- B. Trash receptacles located on public sidewalks for use by pedestrians shall be consistent with the size and style approved by City Public Works Department.

Sec. 110-507. Parking.

A. Alternative Parking Plans (APP).

An alternative parking plan is a means to meet vehicle parking requirements other than providing parking spaces on site in accordance with Code requirements. Applicants seeking to meet the requirements of this section by alternative means shall be required to secure approval of an alternative parking plan by the Technical Review Committee (TRC).

- 1. Contents: alternative parking plans shall be submitted in a form and with such documentation as established by the Community Development Director. At a minimum, such plans shall include the parking alternative and rationale for how the alternative will compensate for the provision of the required parking on site.
- 2. Eligible alternatives: potential alternatives to be considered include, but are not limited to:

Shared parking: shared parking is encouraged to promote efficient use of land and resources by allowing users to share off-street parking facilities for uses that are located near one another and that have different peak parking demands or different operating hours. Shared parking shall be subject to the following standards:

- (1) Location. Shared off-street parking spaces shall be located no further than 600 feet from the buildings and uses they are intended to serve.
- (2) Shared parking agreement. A shared parking plan shall require an application for shared parking and submission of a shared parking agreement, acceptable to the Community Development Director and City Attorney, which shall include an agreement by the owners(s) of record of the parking area and of the applicant. The owner who has applied for shared parking shall be responsible for recording the shared parking agreement in the county's official records and providing copies of the recorded agreement to the city prior to the issuance of site plan approval. The agreement shall specify that the shared spaces are not leased for a use that operates during the same time frame and would create a conflict.

The agreement shall specify the time frame, number, and location of spaces to be shared.

- (3) Site plan. A site plan shall be submitted to indicate the spaces that are to be shared, the location and access to the properties to be served, the number of spaces, and the projected time of use of the properties which are sharing the spaces.
- (4) Changes in uses or other conditions. Once established, in order to maintain compliance with a shared parking agreement, the owner shall take one of the following actions to address any change in the uses identified in the agreement which would cause an increase in parking demand or to address a finding of any other related change in conditions by the Community Development Director:
 - (a) Submit a new shared parking plan agreement approved by the Community Development Director with an application to officially amend the shared parking plan approval for the property.
 - (b) Provide the required number of parking spaces for each use to negate the need for shared parking and submit an application to officially amend the site plan approval accordingly.
 - (c) Revise the existing shared parking agreement addressing the changes.

Until such action is taken a certificate of zoning compliance shall not be approved for any proposed use on the property subject to the shared parking agreement which generates a parking demand, as determined by the town's parking requirements, which exceeds that of the previous use identified in the shared parking agreement.

- 3. Credit for on-street parking spaces. On-street parking spaces may be used to satisfy 50% of the requirements for off-street parking. Such on-street parking may be located in the public right-of-way and shall be located within 1,000 feet of the use. All such spaces must meet size and delineation requirements.
- 4. Bicycle parking. The TRC may approve a reduction in the number of required off-street parking spaces for developments or uses that provide bicycle parking or that make special provisions to accommodate bicyclists.
 - a. Bicycle parking shall be located and clearly designated in a safe and convenient location, at least as convenient as the majority of auto spaces provided.
 - b. Facilities shall be designed to accommodate U-shaped locking devices and shall support bicycles in a stable position without damage to wheels, frame or other components and shall be securely anchored and of sufficient strength to resist vandalism and theft.

- B. Parking lot landscaping. The following shall apply:
1. A landscaped area shall have a minimum width of 2 feet, excluding curbs, retaining walls or similar enclosing structures.
 2. All front yard perimeter landscaping shall include concrete, masonry or metal barriers to contain and/or protect landscaping materials.

Sec. 110-508. Landscape Requirements.

All areas not improved for parking, or occupied by a structure, or paved walkway, shall be landscaped in accordance with the landscaping requirements as follows:

1. *Quality.* Plant materials used in conformance with the provisions of this article shall conform to the standard for Florida No. 1 or better, as given in Grades and Standards for Nursery Plants, part I, 1963, and part II, published by the state department of agriculture, or equal.
2. *Trees.* Tree species shall have a minimum of five (5) feet of clear trunk immediately after planting. Trees of species whose roots are known to cause damage to public roadways or other public works shall be prohibited.
3. *Shrubs and hedges.* Shrubs and hedges shall be a minimum of 2 feet in height when measured immediately after planting. Hedges, where required, shall be planted and maintained so as to form a continuous unbroken solid visual screen within 1 year after time of planting. At intersections and driveways, shrubs cannot be more than twenty-four (24) inches high at maturity and any tree, in the visibility triangle, must have at least seven (7) feet of clear trunk immediately after planting.
4. *Vines.* Vines shall be a minimum of 30 inches in height immediately after planting and may be used in conjunction with fences, screens or walls to meet physical barrier requirements as specified.
5. *Ground covers.* Ground covers in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and reasonably complete coverage and shall be used with a decorative mulch, such as pine or cypress bark or other material of a similar nature. In no instance shall stone or gravel be utilized for more than 20 percent of the ground cover area.
6. *Plan approval.* All new construction, prior to the issuance of a building permit, must have a landscape plan approved by the TRC. The landscape plan shall be drawn to a scale not less than 1 inch equals 20 feet and shall include all pertinent dimensions, walls, parking spaces, and vehicular use areas, buildings and accessory structures, pools, ponds and waterways, hydrants and irrigation systems, landscape materials, including types and location of planting protective devices, and a stormwater management plan with calculations
7. *Installation.* All landscaping shall be installed in accordance with the landscape plan prior to issuance of a certificate of occupancy. All landscaping shall be installed in accordance with accepted landscape practices.
8. *Maintenance.* The owner and tenant, if any, shall be jointly and severally responsible for the maintenance of all landscaping, and landscaped areas shall be so maintained as to present a healthy, neat and orderly appearance and shall be kept free from refuse

and debris. If trees, shrubs, or other landscape material should die, such materials must be replaced within 30 days.

9. *Preservation of existing plant material.* Where healthy plant material exists on a site prior to its development, an applicant will be encouraged to retain such landscaping where possible.
10. *Landscaped areas.* 50% of all lot lines fronting a public street shall be landscaped.
11. *Other materials.* Required landscaped areas shall be adequately landscaped with shrubs, grass, ground cover, or other approved landscape treatment. The TRC may approve alternative landscaping plans that include container plantings.
12. *Areas abutting an interior property line.* On any parcel providing an off-street parking area or other vehicular use area, storage area, outdoor dining area, or loading area there shall be provided landscaping between such area and the property line as follows:

Areas abutting to residential zoning: Where such area abuts property zoned for residential for that portion not entirely screened visually by an intervening structure or conforming buffer on the subject property, there shall be provided a landscaped buffer.

Sec. 110-509. Fences, Walls and Hedges.

Fences, walls and hedges shall be constructed and maintained in accordance with Sec. 110-524 Fences, Walls and hedges with the following exceptions:

1. Chain link fences and other wire fences are prohibited in front yard of lots in the US 27 Commercial Corridor District. Other fencing subject to TRC approval.
2. Barbed wire and razor wire are prohibited.

Sec. 110-510. Outside Storage.

Except as expressly permitted by this section, no material, refuse, machinery, merchandise, or vehicles shall be stored outside of any enclosed structure within this district. This requirement shall not apply to the following:

1. Placement, storage, or keeping of construction equipment, tools, supplies, material, pallets, and all other material related to new construction, provided that all required permits have been obtained for that construction, and that all materials and products shall be removed from the premises promptly upon completion of that construction.
2. Motorized vehicles, boats or recreational vehicles for sale by an authorized dealer provided such outdoor storage is solely for display of vehicles immediately available for sale or lease.
3. Other outside storage uses as expressly permitted under a final site plan approval by the TRC.

Sec. 110-511 Accessory Structures.

Accessory structures located within the US 27 Commercial Corridor District must comply with the following regulations.

1. All accessory uses shall not exceed 30 percent of the gross floor area of the principal use. An accessory use shall be located on the same lot as the principal use, except for off-site parking, as approved by a valid development order.
2. Maximum height shall not exceed the principle structure or twenty feet in height.
3. Accessory structures shall not be used as living quarters.
4. Shall not be located on street side or front yard of parcel.
5. Exterior of structure shall match the principal building aesthetically.

Secs. 110-512 - 110-518. Reserved.

SECTION 2. Section 110-149, Zoning Districts Classified is hereby amended to add a new classification as follows:

Sect. 110-149. Zoning Districts classified.

For the purpose of classifying, regulating and restricting the location of residences, apartments, businesses, industry and other uses, the city is hereby divided into the following zoning districts:

P	Public District
R-1A	Single-Family Residential District
R-1B	Single-Family Residential District
R-1C	Single-Family Residential District
R-2	Two-Family (Duplex) Residential District
R-3	Multiple-Family Residential District
RM-1	Mobile Home and Recreational Vehicle Park District
RM-2	Mobile Home Subdivision District
C	General Commercial District
	Industrial District
PUD	Planned Unit Development
CPID	Commerce Park Industrial District
US 27	US 27 Commercial Corridor District

SECTION 3. Definitions.

Section 110-2 is hereby amended to add the following definitions, which shall be codified in alphabetical order with existing definitions:

Awning. An architectural projection that provides weather protection, identity and/or decoration and is wholly supported by the building to which it is attached. An

awning is comprised of a lightweight, rigid or retractable skeleton over which an approved cover is attached.

Commercially developed parcel. A parcel of property on which there is at least one walled and roofed structure used, or designed to be used, for other than residential or agricultural purposes.

Fast Food restaurant. A restaurant with drive-up window service, or that otherwise receives payment and/or dispenses products to patrons while in their vehicles (such as a drive-in restaurant).

Front yard. Any portion of land that is past the front facade of the principal structure.

Frontage. The length of the property line of any one parcel along the main street on which it borders.

Lounge. A place where alcoholic beverages are sold for consumption on site.

Multiple occupancy complex. A commercial use, i.e. any use other than residential consisting of a parcel of property, or parcel of contiguous properties, existing as a unified or coordinated project, with a building or buildings housing more than one occupant.

Nightclub. A place that is open at night, has music, dancing, or a show, and is operated for the purpose of supplying entertainment where alcoholic beverages are dispensed and consumed on the premises, and where meals and refreshments may be provided.

Occupant (occupancy). The use of a building or structure, or any portion thereof for commercial transactions.

Parcel. A unit of land within legally established property lines. If, however, the property lines are such as to defeat the purposes of this Code or lead to absurd results, a "parcel" may be as designated for a particular site by the building official.

Permanent. Designed, constructed and intended for more than short term use.

Roof line. A horizontal line intersecting the highest point or points of a roof.

Street. A public or private right-of-way for vehicular traffic, including highways, thoroughfares, lanes, roads, ways, and boulevards.

Technical Review Committee (TRC). Technical Review Committee is made up of representatives from City Engineering, Building, Public Works, and Utilities Department.

Tobacco Retailers. Any place that sells, offers for sale, or does or offers to exchange for any form of consideration, tobacco products or tobacco paraphernalia.

Unit. That part of a multiple occupancy complex housing one occupant.

SECTION 4. Codification. The provisions of this Ordinance shall become and be made part of the Code of Laws and Ordinances of the City of Clewiston.

SECTION 5. Severability. If any phrase, sentence, 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 individual provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6. Repeal of Laws in Conflict. All ordinances of the City of Clewiston, Florida, which are in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 7. Effective Date. This Ordinance shall take effect immediately upon its passage and consistent with all requirements of general law.

PASSED on first reading by the City Commission on September 19, 2022.

PASSED AND ADOPTED on second and final reading by the City Commission on October 17, 2022.

ATTEST:

CITY OF CLEWISTON, FLORIDA

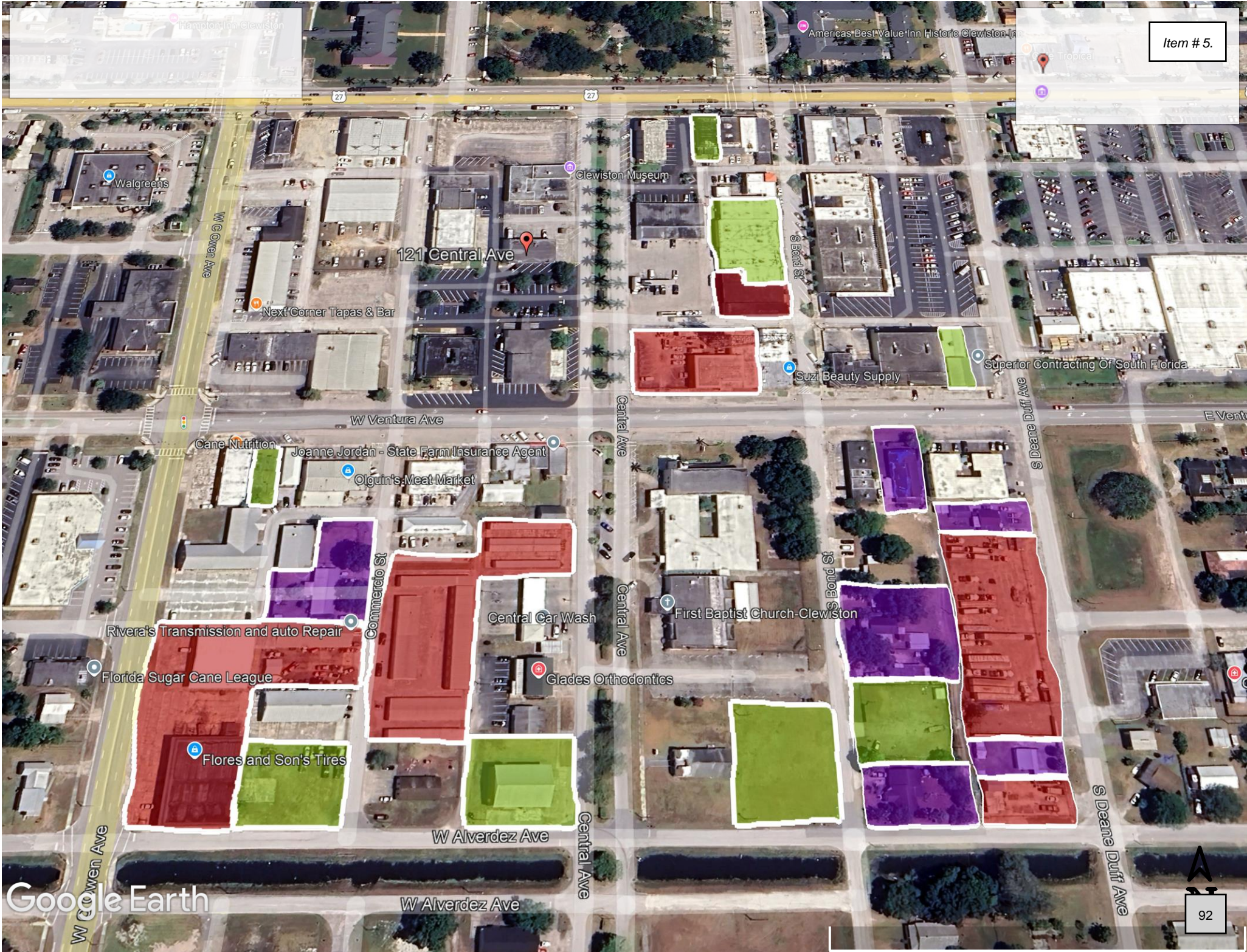
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(MUNICIPAL SEAL)

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

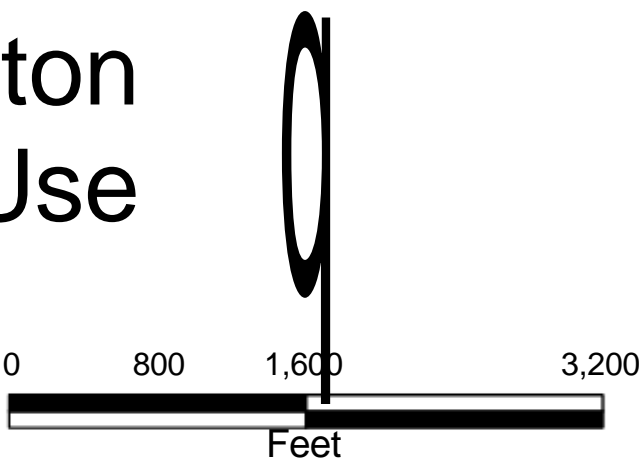
By. 
Dylan J. Brandenburg, City Attorney



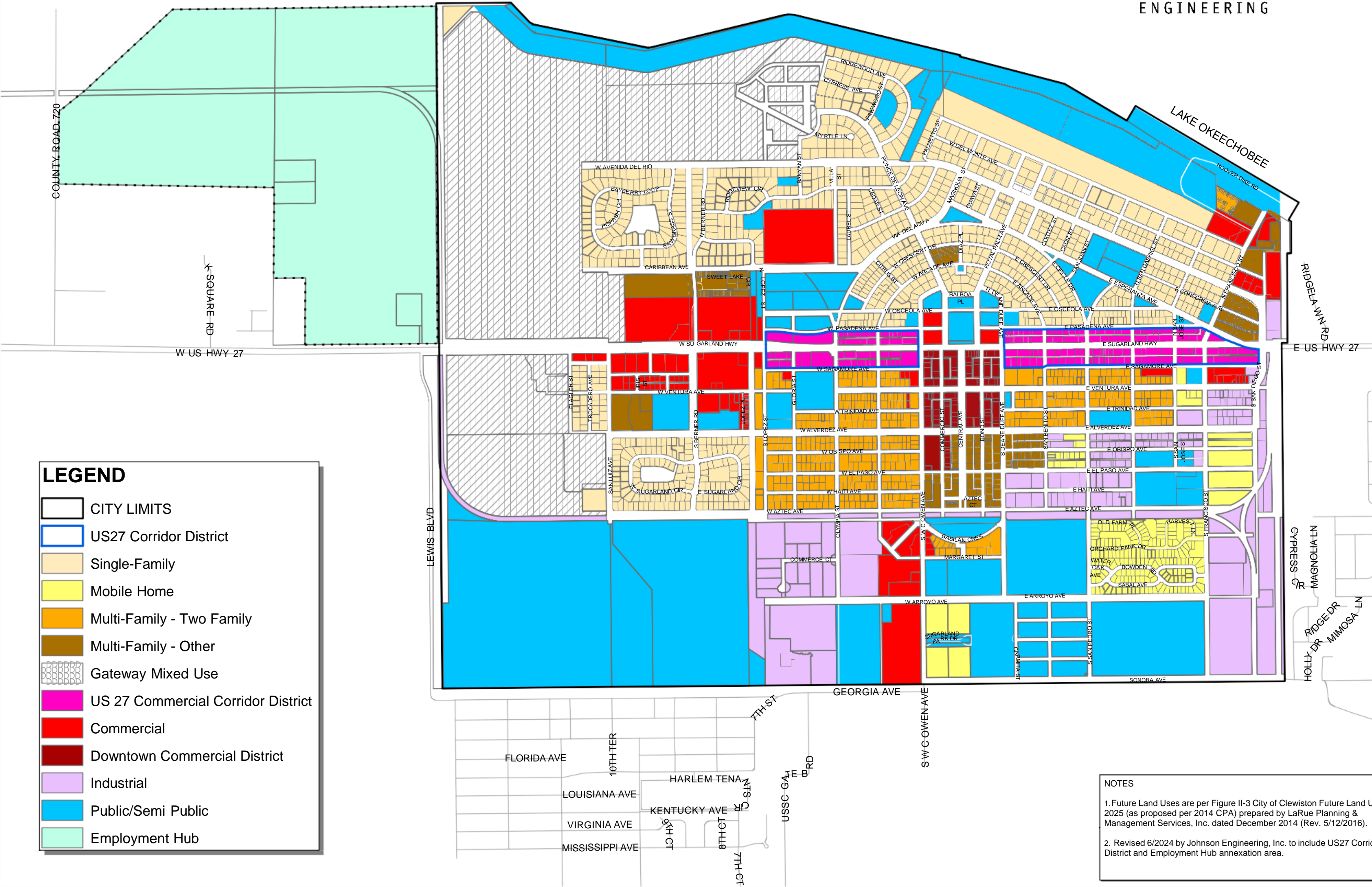
Google Earth

Item # 5.

City of Clewiston Future Land Use



JOHNSON
ENGINEERING



LEGEND

CITY LIMITS

US27 Corridor District

Single-Family

Mobile Home

Multi-Family - Two Family

Multi-Family - Other

Gateway Mixed Use

US 27 Commercial Corridor District

Commercial

Downtown Commercial District

Industrial

Public/Semi Public

Employment Hub

NOTES

1. Future Land Uses are per Figure II-3 City of Clewiston Future Land Use 2025 (as proposed per 2014 CPA) prepared by LaRue Planning & Management Services, Inc. dated December 2014 (Rev. 5/12/2016).

2. Revised 6/2024 by Johnson Engineering, Inc. to include US27 Corridor District and Employment Hub annexation area.



Agenda Item # 6

Agenda Item Memorandum

TO: City Commission of the City of Clewiston

FROM: Travis Reese, Fire Chief

VIA: Danny Williams, City Manager

DATE: June 4, 2025

SUBJECT: Discuss and direct staff on how to proceed regarding the Commercial Module Units.

Background:

At the last Commission meeting held on May 19, 2025, it was asked that this topic be on the agenda for the Commission Workshop/Special Meeting that will be held on June 4, 2025.

Recommendation:

Discuss and direct staff on how to proceed regarding Commercial Module Units.



Agenda Item # 7

Agenda Item Memorandum

TO: City Commission of the City of Clewiston

FROM: Lakisha Burch, City Clerk

VIA: Danny Williams, City Manager

DATE: June 4, 2025

SUBJECT: Discuss and direct staff on how to proceed regarding the Sheds and its Usage.

Background:

At the last Commission meeting held on May 19, 2025, it was asked that this topic be on the agenda for the Commission Workshop/Special Meeting that will be held on June 4, 2025.

Recommendation:

Discuss and direct staff on how to proceed regarding Sheds and its Usage.

**Agenda Item # 8****Agenda Item Memorandum**

TO: City Commission of the City of Clewiston

FROM: Travis Reese, Fire Chief

VIA: Danny Williams, City Manager

DATE: June 4, 2025

SUBJECT: Discuss and direct staff on how to proceed regarding Recreation Vehicles on Private property.

Background:

Ordinance No. 2024-03 amends the Clewiston Code of Ordinances, § 50-7, Storage on Private Property.

Since the first reading of Ordinance No. 2024-03 on January 22, 2024, there has been further discussion during publicly held workshops reviewing Sec 50-7. During those questions and discussions these were the points of discussion:

- Public comment received during a regularly scheduled commission meeting. The question/discussion; is the enforcement of the ordinance being done by the city. The current interpretation and enforcement by the Code Enforcement Officer of Sec 50-7 was discussed in an open meeting. This question/discussion brought more questions, and the Commission decided to review the ordinance in a public workshop for further discussion and possible ideas for updating Ordinance Sec 50-7.
- A presentation was provided by the Community Improvement Division Supervisor during March 6, 2023, and September 26, 2023, workshop on the subject. This presentation and discussion at the workshop addressed the current ordinance and interpretation for enforcement. The workshop provided staff directions for recommended changes to the ordinance based on the discussion.

The public hearing and final reading of Ordinance No. 2024-03 on February 19, 2024, was tabled to allow time for the Planning & Zoning Board to review and make a recommendation. The City Planning & Zoning Board met on May 29, 2024, to discuss the ordinance and possible changes. A motion was made to remove the 60 foot and 10-foot restriction, with a recommendation for the City Commission to cap the number of items allowed based on square footage of lot. The motion was passed on a voice vote with 4 yeas, 0 nays. Board member Donnie Hughes was absent.

The public hearing and final reading of Ordinance No. 2024-03 on July 15, 2024, was tabled to October 21, 2024, to allow time for a joint workshop with the City Commission and Planning & Zoning Board.

A joint workshop of the City Commission and Planning & Zoning Board was held on October 14, 2024. After discussion, the City Commission requested that the ordinance go back to the Planning & Zoning Board for further review.

On December 16, 2024, the meeting of the Commission voted on second reading to pass Ordinance No. 2024-03.

Recommendations:

Discuss and direct staff on how to proceed.

CITY OF CLEWISTON
ORDINANCE NO. 2024-03

**AN ORDINANCE OF THE CITY COMMISSION OF THE
CITY OF CLEWISTON, FLORIDA, AMENDING THE CODE
OF ORDINANCES § 50-7 STORAGE ON PRIVATE
PROPERTY; PROVIDING FOR CODIFICATION;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the City of Clewiston City Commission met at its January 16th, 2024 workshop to conduct a review of § 50-7 and recommended amendments to the City's existing ordinance regarding the storage on private property; and

WHEREAS, the City of Clewiston has determined that it is necessary to amend the City of Clewiston Code of Ordinances to revise § 50-7, Storage on Private Property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, AS FOLLOWS:

SECTION 1. The Clewiston Code of Ordinances, § 50-7, Storage on Private Property is hereby amended as follows, additions are denoted by underline, deletions are denoted by strikethrough:

Sec. 50-7. Storage on private property.

Nothing in this chapter shall be construed to prohibit any resident of the city from storing a recreational vehicle of any type on the same lot as his residence, provided such recreational vehicle complies with the definition of a recreational vehicle, travel trailer or camping trailer and is not occupied or used for any purpose while stored; and displays ~~carries~~ a current vehicle registration sticker and tag; ~~and, provided further, that such recreational vehicle is stored at least 60 feet from the front property line and ten feet from all other property lines.~~ All commercial trailers shall ~~may~~ be stored only in a commercial or industrial district and mobile homes shall ~~may~~ be stored only in an industrial district and shall be located so as to conform with building setbacks of such district.

(Code 1982, § 20-6; Code 1999, § 50-7; Ord. No. 94-01, pt. 1(20-6), 12-19-1994)

SECTION 2. Codification. The provisions of this Ordinance shall become and be made part of the Code of Laws and Ordinances of the City of Clewiston.

SECTION 3. Severability. If any phrase, sentence 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 individual provision, and such holding shall not affect the validity of the remaining portions thereof.

Ordinance No. 2024-03

SECTION 4. Repeal of Laws in Conflict. All ordinances of the City of Clewiston, Florida, which are in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon its passage and consistent with all requirements of general law.

PASSED on first reading by the City Commission on January 22, 2024.

PASSED AND ADOPTED on second and final reading by the City Commission on December 16,
2024.

ATTEST:

CITY OF CLEWISTON, FLORIDA



Lakisha Burch, City Clerk



James Pittman, Mayor

(MUNICIPAL SEAL)

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: 

Dylan J. Brandenburg, City Attorney

**CITY OF CLEWISTON
NOTICE OF PUBLIC HEARING**

The City Commission of Clewiston will hold a public hearing on the proposed Ordinance.

ORDINANCE No. 2024-03

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, AMENDING THE CODE OF ORDINANCES § 50-7 STORAGE ON PRIVATE PROPERTY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Said public hearing will be held as follows:

CLEWISTON COMMISSION

Location: City Hall, 115 West Ventura Avenue, Clewiston, Florida

Date: January 22, 2024 at 5:00 p.m. **(FIRST READING)**

December 16, 2024 at 5:00 p.m. **(SECOND READING)**

Or as soon thereafter as may be heard in the orderly course of business. The hearing of the request may be continued from time to time as may be found necessary.

All interested parties are invited to attend and be heard with respect to the proposed ordinance.

Copies of Ordinance No. 2024-03 are available in the City Clerk's Office at the address listed below and can be reviewed by the public, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. or by appointment.

City Clerk's Office
115 West Ventura Avenue
Clewiston, FL 33440
(863) 983-1484

Pursuant to the provisions of the American With Disabilities Act, any person requiring special accommodations to participate in this hearing, because of a disability or physical impairment, should contact the City of Clewiston Clerk's Office at (863) 983-1484 at least five calendar days prior to the Hearing.

Lakisha Burch, City Clerk
City of Clewiston

PUBLICATION DATE: December 5, 2024

CITY OF CLEWISTON
City Commission Agenda Item Report

AGENDA ITEM NO. (13)
Commission Meeting Date: December 16, 2024

Subject: Storage on Private Property Ordinance 50-7

1) Background/History:

At the request of the City Commission, the Planning and Zoning Board reviewed the Storage on Private Property ordinance for possible updates.

2) Financial Impact:

N/A

3) Attachments:

- Ordinance 50-7

4) Actions/Options/Recommendations:

The City Planning & Zoning Board met on December 10, 2024 to discuss the ordinance and possible changes. A motion was made to remove the 60 foot setbacks, and recommended to have the City Commission allow for 2 RV's to be stored on private property. They also recommended that the City Commission allow for the RV's to be parked in the front of the property. The motion was passed on a voice vote with 2 ayes, 1 nay by Chairman Haitham Kaki. Board member(s) Carolina Betancor and Renaldy Tapia were absent.

**STATE OF FLORIDA:
COUNTY OF HENDRY:**

Before the undersigned authority personally appeared **Katrina Elsen Muros**, who on oath says that she is **Editor in Chief** of the **Lake Okeechobee News**, a weekly newspaper published in **Hendry County, Florida**; that the attached copy of advertisement, being a **Public Notice** in the matter of

Public Notice

in the **20th Judicial District of the Circuit Court of Hendry County, Florida**, was published in said newspaper in the issues of or by publication on the newspaper's website, if authorized, on
LAKO: 12/11/2024, 12/12/2024, 12/13/2024,
12/14/2024, 12/15/2024, 12/16/2024, 12/17/2024
LON: 12/11/2024

Affiant further says that the newspaper complies with all legal requirements for publication in Chapter 50, Florida Statutes.


Katrina Elsen Muros

Sworn to and subscribed before me by means of
Physical Presence ☒ Online Notarization
physical presence or online notarization, this
12/17/2024





<p align="center">CITY OF CLEWISTON NOTICE OF PUBLIC HEARING</p> <p>The City Commission of Clewiston will hold a public hearing on the proposed Ordinance.</p> <p align="center">ORDINANCE No. 2024-03</p> <p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CLEWISTON, FLORIDA, AMENDING THE CODE OF ORDINANCES § 50-7 STORAGE ON PRIVATE PROPERTY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.</p> <p>Said public hearing will be held as follows:</p> <p>CLEWISTON COMMISSION</p> <p>Location: City Hall, 115 West Ventura Avenue, Clewiston, Florida</p> <p>Date: January 22, 2024 at 5:00 p.m. (FIRST READING)</p> <p align="center">December 16, 2024 at 5:00 p.m. (SECOND READING)</p> <p>Or as soon thereafter as may be heard in the orderly course of business. The hearing of the request may be continued from time to time as may be found necessary.</p> <p>All interested parties are invited to attend and be heard with respect to the proposed ordinance.</p> <p>Copies of Ordinance No. 2024-03 are available in the City Clerk's Office at the address listed below and can be reviewed by the public, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. or by appointment.</p> <p align="center">City Clerk's Office 115 West Ventura Avenue Clewiston, FL 33440 (863) 983-1484</p> <p>Pursuant to the provisions of the American With Disabilities Act, any person requiring special accommodations to participate in this hearing, because of a disability or physical impairment, should contact the City of Clewiston Clerk's Office at (863) 983-1484 at least five calendar days prior to the Hearing.</p> <p>Lakisha Burch, City Clerk City of Clewiston 12740 HEND 12/11/2024</p>
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Name	CITY OF CLEWISTON
Order Number	12740
Ordered By	Lakisha Burch
Order Date	12/4/2024
Description	Ordinance No. 2024-03
Number Issues	8
Pub Count	2
First Issue	12/11/2024
Last Issue	12/17/2024
Publications	Lake Okeechobee News. LakeONews.com