



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## REGULAR COUNCIL MEETING AGENDA

Tuesday, November 19, 2024, at 7:30 PM

Town Hall - 307 E Kennedy Blvd

Please note that the HTML versions of the agenda and agenda packet may not reflect changes or amendments made to the agenda.

### I. CALL TO ORDER AND VERIFICATION OF QUORUM

### II. INVOCATION AND PLEDGE OF ALLEGIANCE

### III. APPROVAL OF THE AGENDA

### IV. PRESENTATIONS AND RECOGNITION

A. Official Pinning Ceremony of the CMC Designation awarded by the International Institute of Municipal Clerks (IIMC). - (Clerk Office)

### V. CITIZEN PARTICIPATION (Three minutes strictly enforced)

### VI. CONSENT AGENDA

1. Approval of Resolution 2024-35 Repealing Resolution 2024- 34 - (Finance)

2. Approval of Resolution 2024-36 Updating Fair Housing Policy and Procedures - (Finance)

3. Approval of Resolution 2024-37 Updating the Excessive Force Policy - (Finance)

4. Approval of the Zora Festival 2025 Agreement Between Town of Eatonville and Association to Preserve the Eatonville Community, Inc. (P.E.C.) - (Administration)

### VII. COUNCIL DECISIONS - **\*\*Items may be walked on or moved from the consent agenda\*\***

### VIII. REPORTS

CHIEF ADMINISTRATIVE OFFICER'S REPORT

TOWN ATTORNEY'S REPORT

TOWN COUNCIL REPORT/DISCUSSION ITEMS

MAYOR'S REPORT

### IX. ADJOURNMENT

*The Town of Eatonville is subject to the Public Records Law. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.*

#### **\*\*PUBLIC NOTICE\*\***

*This is a Public Meeting, and the public is invited to attend. This Agenda is subject to change. Please be advised that one (1) or more Members of any of the Town's Advisory Boards/Committees may attend this Meeting and may participate in discussions. Any person who desires to appeal any decision made at this meeting will need a verbatim record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based – per Section 286.0105 Florida Statutes. Persons with disabilities needing assistance to participate in any of these proceedings should contact the Town of Eatonville at (407) 623-8910 "at least 48 hours prior to the meeting, a written request by a physically handicapped person to attend the meeting, directed to the chairperson or director of such board, commission, agency, or authority" - per Section 286.26*



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## TOWN COUNCIL MEETING

### NOVEMBER 19, 2024, AT 7:30 PM

### Cover Sheet

**\*\*NOTE\*\*** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

**ITEM TITLE:** Official Pinning Ceremony of the CMC Designation for the Town Clerk awarded by the International Institute of Municipal Clerks (IIMC).  
(Clerk Office)

**TOWN COUNCIL ACTION:**

<b>PROCLAMATIONS, AWARDS, AND PRESENTATIONS</b>	YES	<b>Department:</b> LEGISLATIVE (CLERK OFFICE)
<b>PUBLIC HEARING 1<sup>ST</sup> / 2<sup>ND</sup> READING</b>		<b>Exhibits:</b> <ul style="list-style-type: none"><li>Letter of Recognition, Lisa Garcia, MMC (IIMC President)</li><li>CMC Certification Badge</li></ul>
<b>CONSENT AGENDA</b>		
<b>COUNCIL DECISION</b>		
<b>ADMINISTRATIVE</b>		

**REQUEST:** Request for the Town Council to acknowledge the official pinning ceremony of the Town Clerk (Veronica King) in recognition of the CMC designation awarded by the International Institute of Municipal Clerks.

**SUMMARY:** The municipal Town Clerk, along with the Tax Collector, is known as the oldest public servants/officers in local government. The title “Clerk” found its beginning back in 1272 A.D. and traces back to the biblical times (Acts 19:35).

On September 4, 2024, Lisa Garcia, MMC (IIMC President) of the International Institute of Municipal Clerks sent official notification that the Board of Directors of the International Institute of Municipal Clerks have awarded Veronica L. King the International Institute of Municipal Clerks’ designation of Certified Municipal Clerk (CMC). The digital CMC certificate will be replaced with official hard-earned CMC certificate along with CMC pin.

A representative of IIMC/FACC (Gwen Peirce, MPA, MMC, FACC Central East District Director) will present the official pin and certificate at the Town Council Meeting. She will be traveling from the City of Satellite Beach, Florida to conduct the pinning ceremony.

**RECOMMENDATION:** Recommend for the Town Council to acknowledge the official pinning ceremony of the Town Clerk (Veronica King) in recognition of the CMC designation awarded by the International Institute of Municipal Clerks.

**FISCAL & EFFICIENCY DATA:** N/A

Veronica King <[vking@townofeatonville.org](mailto:vking@townofeatonville.org)>

---

**Re: IIMC Congratulates Veronica L. King, CMC**

---

**Angie Gardner** <[agardner@townofeatonville.org](mailto:agardner@townofeatonville.org)>  
To: Iris Hill <[iris@iimc.com](mailto:iris@iimc.com)>  
Cc: Veronica King <[vking@townofeatonville.org](mailto:vking@townofeatonville.org)>

Sun, Sep 8, 2024 at 11:02 PM

Thank you for this email. Mrs. King has shown a high degree of commitment and dedication as the Town's Municipal Clerk. This is definitely something that she should be proud of and she is representing this Town above the standards. I appreciate the work that she has done and continues to do.

Great work, Mrs. King and Congratulations.

Mayor Gardner

On Wed, Sep 4, 2024 at 6:13 PM Iris Hill <[iris@iimc.com](mailto:iris@iimc.com)> wrote:



09/04/2024

Angie Gardner  
Mayor  
Sent to email: [agardner@townofeatonville.org](mailto:agardner@townofeatonville.org)

Dear Angie Gardner,

**Veronica L. King, CMC of Town of Eatonville**, has earned the designation of Certified Municipal Clerk (CMC), which is awarded by the International Institute of Municipal Clerks (IIMC), Inc.

IIMC grants the CMC designation only to municipal clerks who complete demanding education requirements; and have a record of significant contributions to their local government, community and state.

The International Institute of Municipal Clerks, founded in 1947, has 14,000 members throughout the United States, Canada, and 15 other countries, and the mission of this global non-profit corporation is to enhance the educational opportunities and professional development of its diverse membership.

In light of the speed and drastic nature of change these days, lifelong learning is not only desirable, it is necessary for all in local government to keep pace with the growing demands and changing needs of the citizens we serve. Your city can take immense pride in Veronica's educational accomplishments and achievement of this milestone.

On behalf of the IIMC Board of Directors, I am honored to endorse the conferring of CMC to Veronica L. King, CMC of Town of Eatonville. We share your pride in this achievement and we applaud your support of the role Veronica plays in your city.

Sincerely,

Lisa Garcia, MMC  
IIMC President

IIMC Education Department



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## TOWN COUNCIL MEETING

### NOVEMBER 19, 2024, AT 7:30 PM

### Cover Sheet

**\*\*NOTE\*\*** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

**ITEM TITLE:** Approval of Resolution 2024-35 Repealing Resolution 2024- (Finance)

**TOWN COUNCIL ACTION:**

<b>PROCLAMATIONS, AWARDS, AND PRESENTATIONS</b>		<b>Department:</b> FINANCE / GRANT
<b>PUBLIC HEARING 1<sup>ST</sup> / 2<sup>ND</sup> READING</b>		<b>Exhibits:</b>  • Resolution 2024-35-Repealing Resolution 2024-34
<b>CONSENT AGENDA</b>	YES	
<b>COUNCIL DECISION</b>		
<b>ADMINISTRATIVE</b>		

**REQUEST:** Approval of Resolution 2024-35 Repealing Resolution 2024-34.

**SUMMARY:** During the November 5<sup>th</sup> Council meeting, Resolution 2024-34 was approved through consent approving the Excessive Force Policy and Fair Housing Plan, Policy, and Procedures. In reviewing the information further, there was a discrepancy noted in which two resolutions should have been presented for each policy for the council’s approval. To properly adopt the requested updated policies, two different policies by resolution will be presented to the Town Council for approval. Also, for proper indexing of the two impending resolutions, Resolution 2024-34 should be repealed.

Resolution 2024-35 is being brought before the Town Council to repeal Resolution 2024-34.

**RECOMMENDATION:** Staff recommend that the Town Council approves Resolution 2024-35 Repealing Resolution 2024-34.

**FISCAL & EFFICIENCY DATA:** N/A

**RESOLUTION #2023-35**

**A RESOLUTION OF THE TOWN OF EATONVILLE, FLORIDA, REPEALING RESOLUTION 2024-34; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Eatonville desires to repeal Resolution 2024-34; and

**WHEREAS**, the Town Council of the Town of Eatonville hereby finds that this Resolution serves a legitimate governmental purpose and is in the best interests of the public health, safety, and welfare of the citizens of Eatonville, Florida.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AS FOLLOWS:**

**Section 1. LEGISLATIVE FINDINGS.** The recitals set forth above are hereby adopted as the legislative findings of the Town Council of the Town of Eatonville, Florida.

**Section 2. REPEAL OF CERTAIN SECTIONS.** Resolution 2024-34 is hereby repealed in its entirety.

**Section 3. CONFLICTS.** After the effective date of this Resolution, in any case where all or any part of this Resolution is found to conflict with any provision of any other ordinance of the Town of Eatonville, to the extent of such conflict, all such resolutions are hereby repealed.

**Section 4. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Resolution is determined to be invalid, unenforceable, unlawful, or unconstitutional by a court of competent jurisdiction, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Resolution.

**Section 5. EFFECTIVE DATE.** This Resolution shall become effective upon adoption.

**Upon motion duly made and carried**, the foregoing Resolution was approved and passed and transmitted on the 19<sup>th</sup> day of November 2024.

Attest:

**TOWN OF EATONVILLE**

\_\_\_\_\_  
Veronica King,  
Town Clerk

\_\_\_\_\_  
Angie Gardner, Mayor



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## TOWN COUNCIL MEETING

### NOVEMBER 19, 2024, AT 7:30 PM

### Cover Sheet

**\*\*NOTE\*\*** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

**ITEM TITLE:** Approval of Resolution 2024-36 Updating Fair Housing Plan, Policy, and Procedures - (**Finance**)

**TOWN COUNCIL ACTION:**

<b>PROCLAMATIONS, AWARDS, AND PRESENTATIONS</b>		<b>Department:</b> FINANCE / GRANT
<b>PUBLIC HEARING 1<sup>ST</sup> / 2<sup>ND</sup> READING</b>		<b>Exhibits:</b>  • Resolution 2024-36-Addendum to the Town’s Fair Housing Plan, Policy, and Procedures
<b>CONSENT AGENDA</b>	YES	
<b>COUNCIL DECISION</b>		
<b>ADMINISTRATIVE</b>		

**REQUEST:** Approval of Resolution 2024-36 Updated Policy and Procedures- Town’s Fair Housing Plan, Policy, and Procedures according to the Florida Commerce guidelines.

**SUMMARY:** Excessive Force Policy and Fair Housing Plan, Policy, and Procedures must satisfy all the unique requirements of HUD’s CDBG – MIT 5.9 million Grant Program. In particular, the standards governing the sub-recipient’s outline in the Excessive Force policy checklist and the Fair Housing policy checklist.

Resolution 2024-36 is being brought before the Town Council to update policy and procedure specific to the Town’s Fair Housing Plan, Policy, and Procedures.

**RECOMMENDATION:** Staff recommend that the Town Council approves Resolution 2024-36 Updated Policy and Procedures- Town’s Fair Housing Plan, Policy, and Procedures according to the Florida Commerce guidelines.

**FISCAL & EFFICIENCY DATA:** N/A

**RESOLUTION # 2024-36**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA CERTIFYING THE TOWN’S COMMITMENT TO AFFIRMATIVELY FURTHER FAIR HOUSING AND ADOPTING A FAIR HOUSING PLAN TO ENSURE APPROPRIATE AND ACCEPTABLE ACTIONS ARE TAKEN IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS; DEFINING AN ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Town of Eatonville has been awarded funding and may be awarded additional future funding under the Community Development Block Grant program, and

WHEREAS, the Town of Eatonville has adopted a Fair Housing Ordinance prohibiting discrimination in housing based on Race, Color, National Origin, Religion, Sex, Familial Status or Disability.

WHEREAS, the Town Council of the Town of Eatonville desires to certify that it will "affirmatively further fair housing" in its community, to ensure compliance under the Town’s Community Development Block Grants (CDBG), and

WHEREAS, the Town Council of the Town of Eatonville recognizes the need to adopt a plan for implementing actions to "affirmatively further fair housing" in its community under the Community Development Block Grant to ensure compliance and adherence to requirements and standards set for by the United State Department of Housing and Urban Development (HUD), the Florida Department of Commerce (FloridaCommerce), Federal Regulations, State Statutes, and State Administrative Rules.

WHEREAS, the Town Council of the Town of Eatonville recognizes the need to update and improve its existing Fair Housing Ordinance to ensure no person is being denied benefit, excluded, or subjected to discrimination under any program funded in whole or in part by Federal funds and to ensure program participation is not to be based on Race, National Origin, Religion, Color, Sex, Age, Disability (mental and physical), or Family Status.

**NOW THEREFORE, BE IT RESOLVED BY TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, TO HEREBY CERTIFY THAT IT WILL “AFFIRMATIVELY FURTHER FAIR HOUSING” IN ITS COMMUNITY AND ADOPT A FAIR HOUSING PLAN FOR USE IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS.**

The Town of Eatonville does hereby certify that it will "affirmatively further fair housing" in its community. The Town will demonstrate its commitment to affirmatively further fair housing by implementing the actions listed below.

- I. The Town adopted a fair housing ordinance on December 17, 1991, that covers all Federally protected classes (race, color, familial status, handicap, national origin, religion and sex);
- II. The Town shall utilize data from the State of Florida's Analysis of Impediments (AI) to assist with determining the needs of the community and for identifying and making conclusions regarding local impediments to Fair Housing;
- III. The Town has designated the Finance Director as the Fair Housing Coordinator who will be available during regular business hours to receive fair housing calls;
- IV. The Town shall ensure that the fair housing contact person receives fair housing training so that he/she is equipped to properly handle fair housing phone inquiries or refer the inquiries to the appropriate people/agencies.
- V. To ensure that the residents know who to call to ask fair housing questions or register a complaint, the Town will either publish the Fair Housing Coordinator's contact information quarterly in a newspaper of general circulation in Town's jurisdiction or alternatively, will post the coordinator's contact information throughout the quarter on the home page of its website;
- VI. The Town has established a system to record the following for each fair housing call:
  - a. The nature of the call,
  - b. The actions taken in response to the call,
  - c. The results of the actions taken, and
  - d. If the caller was referred to another agency, the results obtained by the referral agency.
- VII. The Town shall make the following contacts available for all persons alleging a violation of Fair Housing laws to file a complaint.
  - i. FloridaCommerce's email address [FairHousing@commerce.fl.gov](mailto:FairHousing@commerce.fl.gov)
  - ii. Florida Commission on Human Relations: Phone: 850-488-7082 or Email at [fchrinfo@fchr.myflorida.com](mailto:fchrinfo@fchr.myflorida.com).
  - iii. U. S. Department of Housing and Urban Development (HUD) at 800-440-8091.
- VIII. The Fair Housing Coordinator shall maintain a record of all fair housing related communication, including inquiries, complaints, whistle blowing and community feedback to empower the Town to better:
  - a. Define where discriminatory practices are occurring,
  - b. Help the Town measure the effectiveness of its outreach efforts, and
  - c. Provide the community with a means to gain information that can be used to design and implement strategies that will eliminate fair housing impediments.The Town shall maintain Fair Housing records and make the same available to the public.
- IX. The Town will display a fair housing poster in the CDBG Office, with the understanding that this does not count as a fair housing activity. The Town shall provide FloridaCommerce with photographs of the Fair Housing poster displayed in the CDBG Program Office no later than 10 days following the end of each quarter.



- X. The Town will conduct at least one fair housing activity each quarter. And will not conduct identical activities in consecutive quarters. Examples of fair housing activities the Town may utilize are: Making fair housing presentations at schools, civic clubs and neighborhood association meetings; conducting a fair housing poster contest or an essay contest; staffing a booth and distributing fair housing materials at libraries, health fairs, community events, yard sales and church festivals; placing fair housing display ads in local newspapers, running fair housing radio and/or television public service announcement spots, mailing out fair housing brochures, and conducting fair housing workshops for Town/county employees, realtors, bank and mortgage company employees, insurance agents and apartment complex owners. The Town understands that printing a fair housing notice on a utility bill or placing fair housing posters in public buildings are not acceptable fair housing activities. The Town shall document its fair housing activities by keeping photographs, newspaper articles, sign-in sheets and copies of handouts in their CDBG project file and include information about the activities in the comment section of each quarterly report. The Town shall provide such documentation of conducting quarterly Fair Housing activities to the FloridaCommerce grant manager within 10 days following the end of the quarter.
- XI. The Town will, on an ongoing basis, review and assess its local land use, zoning, ordinances, resolutions and policies and make reasonable revisions to the same to remove barriers to fair housing.

Effective Date.

This resolution shall take effect immediately upon its adoption.

**DULY PASSED AND ADOPTED** by the Town Council of the Town of Eatonville, Florida at a regular meeting on this 5th day of November, 2024.

\_\_\_\_\_  
Angie Gardner, Mayor  
Town of Eatonville, Florida

**ATTESTED:**

\_\_\_\_\_  
Veronica King, Town Clerk  
Town of Eatonville, Florida



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## TOWN COUNCIL MEETING

### NOVEMBER 19, 2024, AT 7:30 PM

### Cover Sheet

**\*\*NOTE\*\*** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

**ITEM TITLE:** Approval of Resolution 2024-37 Updating the Excessive Force Policy - (Finance)

**TOWN COUNCIL ACTION:**

<b>PROCLAMATIONS, AWARDS, AND PRESENTATIONS</b>		<b>Department:</b> FINANCE / GRANT
<b>PUBLIC HEARING 1<sup>ST</sup> / 2<sup>ND</sup> READING</b>		<b>Exhibits:</b> <ul style="list-style-type: none"> <li>• DRAFT Resolution 2024-37- Excessive Force Policy</li> <li>• Excessive Force Checklist</li> </ul>
<b>CONSENT AGENDA</b>	YES	
<b>COUNCIL DECISION</b>		
<b>ADMINISTRATIVE</b>		

**REQUEST:** Approval of Resolution 2024-37 Updated Policy and Procedures- Excessive Force Policy according to the Florida Commerce guidelines.

**SUMMARY:** Excessive Force Policy and Fair Housing Policy must satisfy all the unique requirements of HUD’s CDBG – MIT 5.9 million Grant Program. In particular, the standards governing the sub-recipient’s outline in the Excessive Force policy checklist and the Fair Housing policy checklist.

Resolution 2024-37 is being brought before the Town Council to update policy and procedure specific to the Excessive Force Policy.

**RECOMMENDATION:** Staff recommend that the Town Council approve Resolution 2024-37 Updated Policy and Procedures- Excessive Force Policy according to the Florida Commerce guidelines

**FISCAL & EFFICIENCY DATA:** N/A

## Office of Long-Term Resiliency (OLTR) - Community Development Block Grant Program

### MITIGATION

### Excessive Force Policy Checklist

Subrecipient: City of Cottondale		Grant Agreement No.: MT128	
1 <sup>st</sup> Reviewer:		2 <sup>nd</sup> Reviewer:	
Date Review Complete:		Date Review Complete: 10/2/2024	
Policies and Procedures Approved?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Date of Approval:	
<p><b>24 CFR 91.325 (b)(6) Excessive Force.</b> A certification that the State will require units of general local government that receive CDBG funds to certify that they have adopted and are enforcing:</p> <p>(i) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and</p> <p>(ii) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations within its jurisdiction.</p> <p><b>The excessive force policy must include the following provisions:</b></p>			
Desk Review			
Descriptions	Reference	Answer	Location
Does the policy define what constitutes 'excessive force;?'	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 1, 3 <sup>rd</sup> Wheras
Does the policy prohibit the use of excessive force by law enforcement agencies against individuals engaged in nonviolent civil rights demonstrations?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2 Section 1
Does the policy prohibit physically barring entrance to or exit from a facility or location that is the subject of such non-violent civil rights demonstrations?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2 Section 3
Does the policy require law enforcement agencies to use the least amount of force necessary to achieve a lawful objective;?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2, Section 2
Does the policy require law enforcement agencies to intervene when another law enforcement officer uses excessive force;?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2, Section 2
Does the policy provide for the investigation of allegations of excessive force;?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2, Section 2
Does the policy provide for the discipline of law enforcement officers who use excessive force;?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2 Section 2
Is the policy made available to the public, posted on the subrecipients website, and be enforced by the local government?	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2 Section 4
Does the policy designate a senior official with responsibility for implementation? This official must ensure that all component policies and training are aligned.	See above	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Page 2 Section 5

**RESOLUTION # 2024-37**

**TOWN OF EATONVILLE, FLORIDA  
EXCESSIVE FORCE POLICY**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF  
EATONVILLE, FLORIDA, ADOPTING A POLICY PROTECTING  
INDIVIDUALS ENGAGED IN NONVIOLENT CIVIL RIGHTS  
DEMONSTRATIONS.**

WHEREAS, the Congress of the United States has passed Section 104(1) to the Title I of the Housing and Community Development Act stating that no CDBG funds may be obligated or expended by any unit of general local government that fails to adopt and enforce a policy of prohibiting the use of excessive force by local law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; or fails to adopt and enforce a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of nonviolent civil rights demonstrations within its jurisdiction;

WHEREAS, the Town Council of the Town of Eatonville desires to adopt a policy regarding excessive force under the Town’s Community Development Block Grants (CDBG);

WHEREAS, the Town Council of the Town of Eatonville recognizes the need to adopt a policy for excessive force under the Community Development Block Grant to ensure compliance and adherence to requirements and standards set for by the United State Department of Housing and Urban Development (HUD), the Florida Department of Commerce (Florida Commerce), Federal Regulations, State Statutes, and Office of Management and Budget;

WHEREAS, Excessive force is determined on the ‘objective reasonableness’ of the force based on the situation. Nonviolent civil rights demonstrations use peaceful tactics to achieve social change and may include distribution of information, picketing, marches, and vigils;

WHEREAS, All prior policies and/or directives or parts of policies and/or directives that are contrary to the provisions of this policy are hereby repealed to give this policy full force and effect. If any section, clause, sentence, provision, or any part of this policy is held to be invalid or unconstitutional, the remaining sections, clauses, sentences, or parts not included therein, will remain in full force;

WHEREAS, the Town of Eatonville has received a Community Development Block Grant and is required to comply with the Title I of the Housing and Community Development Act; and

WHEREAS, the failure to enforce such policies may cause the Town of Eatonville to lose its grant or eligibility for future federal grants;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA TO MAKE POLICY THE FOLLOWING:

- SECTION 1            It is the POLICY of the TOWN that excessive force by local law enforcement agencies shall not be used against individuals engaged in lawful and nonviolent civil rights demonstrations within the Town boundaries.
  
- SECTION 2            It is the POLICY of the TOWN to require law enforcement agencies to use the least amount of force necessary to achieve a lawful objective, to intervene when another law enforcement officer uses excessive force, that allegations of excessive force will be investigated, and that law enforcement officers who use excessive force will be disciplined.
  
- SECTION 3            It is the POLICY of the TOWN to enforce applicable state and local laws against the physical barring of an entrance to or exit from a facility or location which is the subject of nonviolent civil rights demonstrations within its jurisdiction.
  
- SECTION 4            The Town Council hereby directs staff to make this POLICY available to the public, to post this POLICY on the Town’s website, and to enforce this POLICY.
  
- SECTION 5            The Town Council hereby designates the Eatonville Chief of Police as senior official responsible for implementation of this POLICY;
  
- SECTION 6            The Town Council hereby directs coordination with the Town of Eatonville Chief of Police to ensure the police department implements and adheres to all components of these policies, amends applicable police department procedures and training to align with the implementation of this Resolution adopting this Excessive Force Policy.

PASSED BY THE TOWN COUNCIL, TOWN OF EATONVILLE, FLORIDA

\_\_\_\_\_  
Angie Gardner, Mayor  
Town Council for the  
Town of Eatonville, Florida

\_\_\_\_\_  
Date

**ATTESTED BY:**

\_\_\_\_\_  
Veronica King, Town Clerk  
Town of Eatonville, Florida

\_\_\_\_\_  
Date



# HISTORIC TOWN OF EATONVILLE, FLORIDA

## TOWN COUNCIL MEETING

### NOVEMBER 19, 2024, AT 7:30 PM

### Cover Sheet

**\*\*NOTE\*\*** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

**ITEM TITLE:** Approval of the Zora Festival 2025 Agreement Between Town of Eatonville and Association to Preserve the Eatonville Community, Inc. (P.E.C.) (**Administration**)

**TOWN COUNCIL ACTION:**

<b>PROCLAMATIONS, AWARDS, AND PRESENTATIONS</b>		<b>Department: ADMINISTRATION</b>
<b>PUBLIC HEARING 1<sup>ST</sup> / 2<sup>ND</sup> READING</b>		<b>Exhibits:</b> <ul style="list-style-type: none"> <li>• 2025 Zora Festival Agreement</li> <li>• Event Layout</li> <li>• MOT Approval Information (Staff) - <b>Forthcoming</b></li> <li>• Flash-Rite Invoice (Staff) – <b>Forthcoming</b></li> </ul>
<b>CONSENT AGENDA</b>	YES	
<b>COUNCIL DECISION</b>		
<b>ADMINISTRATIVE</b>		

**REQUEST:** For Town Council to Approve 2025 Zora Festival Agreement.

**SUMMARY:** P.E.C. in partnership with the Historic Town of Eatonville entails ensuring that the Town is an internationally recognized cultural heritage tourism destination for the arts and culture from throughout the African Diaspora, with special emphasis on the multi-disciplines as represented in the life and work of Zora Neale Hurston. The Town Council of the Town of Eatonville wishes to support all efforts that seek to draw visitors to this community.

The Historic Town of Eatonville Town Council assigns to P.E.C. the exclusive right to present the Outdoor Festival of the Arts for the 36th Annual ZORA! Festival, January 31 – February 02, 2025. The terms and conditions are outlined in the 2025 Zora Festival Agreement.

The administration and public safety team (EPD and PW) met in November 2024 in consideration of approval of the agreement.

**RECOMMENDATION:** Staff recommend that the Town Council approve the 2025 Zora Festival Agreement. (Pending all payments are received prior to the event starting)

**FISCAL & EFFICIENCY DATA:** The Town has a proposed cost for public safety to be submitted by P.E.C. per the agreement.

**Agreement between**  
**TOWN OF EATONVILLE**  
**&**  
**ASSOCIATION TO PRESERVE THE EATONVILLE COMMUNITY, INC.**  
**(P.E.C.)**

Governing the 36<sup>th</sup> ZORA!® - Outdoor Festival of Arts  
**January 31 - February 02, 2025**

**WHEREAS** Zora Neale Hurston popularized the Historic Town of Eatonville as “the Oldest Incorporated African-American Municipality in the United States;” and

**WHEREAS** the Historic Town of Eatonville wishes to inspire its residents, businesses, and visitors by providing a festive atmosphere; and

**WHEREAS** the Historic Town of Eatonville’s Government seeks to brand itself as a community that celebrates black culture and identity and realizes that the ZORA!® - Outdoor Festival of the Arts (sometimes referred to herein as the Festival) is a major factor in accomplishing the overall goal of branding; and

**WHEREAS** the Historic Town of Eatonville has become a literary destination because of the writing of Zora Neale Hurston; and

**WHEREAS** P.E.C. is a private, non-profit, tax-exempt organization established in 1987 with a mission to promote Eatonville, Florida’s heritage, historical, and cultural resources as a means for the community’s revitalization and economic development via programming which promotes pride, heritage, educational excellence, and the cultural arts, and will preserve and protect the community for posterity; and

**WHEREAS** the three (3) goals of the ZORA!® - Outdoor Festival of the Arts are:

- To celebrate the life and work of 20<sup>th</sup>-century writer, folklorist, and anthropologist, Zora Neale Hurston.
- To celebrate the significance of her hometown, Eatonville, Florida known as the Nation’s Oldest Incorporated African American Municipality; and
- To celebrate the cultural contributions people of African ancestry have made to the United States and world culture.

**WHEREAS** P.E.C., in partnership with the Historic Town of Eatonville, wishes to ensure the Town is considered an internationally recognized cultural heritage tourism destination for arts and culture from throughout the African Diaspora, with special emphasis on the multi-disciplines represented in the life and work of Zora Neale Hurston; and

**WHEREAS** the Town Council of the Town of Eatonville wishes to support all efforts that

seek to draw visitors to this community.

**NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

- The Historic Town of Eatonville Town Council assigns to P.E.C. the exclusive right to present the Outdoor Festival of the Arts for the 36<sup>th</sup> Annual ZORA!® - Outdoor Festival of the Arts within the Historic Town of Eatonville’s corporate Limits, and grants to P.E.C. an exclusive permit to conduct this event subject to the terms of this Agreement.
- In granting this exclusive right and permit, the Parties acknowledge that the Festival Grounds will be located on both Public and Private Property. Please see the attached “Outdoor Festival Location Guide” which is incorporated into and made a part of this Agreement as Exhibit “A.”
- The Town will not issue permits to any other vendors during the ZORA!® - Outdoor Festival of the Arts season (**January 31 – February 01, 2024**) and will request that the Town’s Police Department shut down and/or remove any party which seeks to establish vending which has not been authorized under P.E.C.’s permit.
- P.E.C. is permitted to use the vacant lot across the street from the Eatonville Community Redevelopment Agency (ECRA) as a part of the ZORA!® - Outdoor Festival of the Arts “Inventory.”
- The Town will endorse P.E.C.’s coordination with the Eatonville Community Redevelopment Agency (ECRA) for the use of its external and internal space as P.E.C. facilitates Festival operations. For example, when the V.I.P. Guests and/or Elected Officials arrive on Saturday, P.E.C. can use the ECRA Conference Room as a “Green Room.”
- P.E.C. is permitted to use the Town Hall Parking Lot on Saturday and Sunday for Public Service/Community Space Booths such as the Blood Bank, Orange County Fire & Rescue, *et al.*

**IN EXCHANGE FOR THE EXCLUSIVE PRIVILEGES IDENTIFIED ABOVE, P.E.C, AGREES TO:**

- **Full Compliance with Town Code:** P.E.C. shall fully comply with all requirements of the Town’s Code of Ordinances, and specifically with Article II, Division 2, Sec. 12-48, and Sec. 12-50 – 52.
- **Free entry dates: Friday, January 31 – Sunday, February 02, 2025:** To allow free entry to ZORA!® - Outdoor Festival of the Arts, to all Eatonville residents who provide authorized proof of residency (Driver’s License or Official Florida Identification) within the Town of Eatonville to the company managing gate admissions. Eatonville residents (adults & children) who wish to sit in the reserved/V.I.P section of the Main Stage on **Saturday, February 01 and Sunday, February 02, 2025**, must pay the established ticket price.



- Pay **\$22,000.00** to the Town for public safety services (police and fire/rescue) **on or before January 27, 2025, by certified cashier's check.** There will be a reconciliation of public safety hours worked after the event and if a credit is due to P.E.C. (based on the applicable billable rates for public safety employees as quoted in Composite Exhibit "B") then the Town will issue a refund within 30 days after the reconciliation. If the reconciliation indicates a balance is due, then P.E.C. will be notified and will have 30 days thereafter to pay any additional sums owed to the Town. Failure to adhere to the January 27, 2025, deadline for advance payment for public safety services will result in cancelation of this agreement and the Festival itself. See Composite Exhibit "B," the terms and rates of which are incorporated into and made part of this Agreement.

**FURTHER CONDITIONS GOVERNING THIS CONTRACT:**

- P.E.C. must notify residents on the west side of I-4, via a form of notice pre-approved by Town administration **on or before January 15, 2025,** regarding:
  1. Festival site location
  2. Hours of operation
  3. Potential noise
  4. Traffic congestion
- P.E.C. and the Town's Police Department will follow the Orange County-approved MOT, which will be implemented by Flash-rite. Flash-rite will be contracted directly by P.E.C., and the Town shall have no responsibility for directing, supervising or controlling Flash-rite or its personnel in the performance of its contractual obligations to P.E.C. P.E.C. must provide the Eatonville Police Department with all appropriate documentation regarding the MOT and Flash-rite **no later than January 20, 2025.** Failure to timely provide this documentation to the satisfaction of the Eatonville Police Department is grounds for the Town's termination of this Agreement and cancelation of the Festival.
- The areas to be designated as "NO PARKING" or "TOW AWAY" zones ("Non-Parking Areas") shall be determined by the Town's Police Department and the Town's Police Department shall direct P.E.C. as to where the appropriate signs for such areas must be placed. It is P.E.C.'s responsibility to properly place the signs.
- If a vehicle is towed for violating the Non-Parking Areas, the vehicle will be towed to the following tow facility: TRL Towing, 605 Ferguson Drive, Orlando, FL 32805; (321-274-5369).
- P.E.C. shall maintain and provide proof to the Town of a Two-Million-Dollar (\$2,000,000.00) liability insurance policy covering ZORA!® - Outdoor Festival of the Arts and naming the Town of Eatonville as an additional insured for the duration of the Festival. P.E.C. shall provide a true copy of the certificate of insurance to the Town Clerk's Office **no later than January 20, 2024,** which is the Monday prior to the first

day of the Festival, Friday, January 27, 2025. Failure to timely provide this proof of insurance coverage protecting the Town is grounds for the Town’s termination of this Agreement and cancelation of the Festival.

- This Agreement cannot be revised, amended, or modified without the written, mutual consent of the parties hereto.
- In the event any term or condition of this Agreement is ruled illegal or unconstitutional, the Parties agree that those terms and conditions may be severed from this Agreement, and that the remaining terms and conditions of this Agreement shall remain enforceable between the Parties.
- Any Town employee that works for P.E.C. during the Festival shall be paid directly by P.E.C. for their services **no later than Monday, January 27, 2025**, notwithstanding the compensation agreement for public safety officers to be provided by the Town.
- In providing courtesy passes to the Town Council, P.E.C., agrees to observe the guidelines mandated by Florida Commission on Ethics, including filing any gift reports as may be required.
- Flash-rite, through its contract with P.E.C., will be responsible for the placement of safety cones, barricades, tapes, signs, and other precautionary measures to minimize traffic control hazards during the event.
- P.E.C. shall defend, indemnify and hold harmless the Town of Eatonville and all of the Town of Eatonville’s officers, agents, and employees from and against all claims, liability, loss and expense, including reasonable attorneys’ fees and court costs, arising from the negligence (whether active or passive), misconduct, or other fault, in whole or in part (whether joint, concurrent, or contributing), of P.E.C., its officers, agents or employees in performance or non-performance of its obligations under the agreement. This clause shall survive the termination of this agreement. Any ambiguity or inconsistency found in this Agreement by a court of competent jurisdiction shall be interpreted in favor of the Town of Eatonville. Time is of the essence regarding all deadlines contained within this Agreement.

**Association to Preserve Eatonville  
Eatonville Community, Inc. (P.E.C.)**

\_\_\_\_\_  
Winfred Chad McKendrick, President

**Town of Eatonville**

\_\_\_\_\_  
Angie Gardner, Mayor

**ATTEST:**

\_\_\_\_\_  
Veronica L. King, Town Clerk



# 36th Annual Zora Neale Hurston® Festival of the Arts and Humanities Outdoor Festival of the Arts Location Guide

January 30 – February 2, 2025



- Festival Tents
- Merchandise Vending
- Food Vending
- Public Safety
- Fencing
- Traffic Pattern

**DRAFT #1**

