



HISTORIC TOWN OF EATONVILLE, FLORIDA

REGULAR COUNCIL MEETING AGENDA

Tuesday, October 06, 2026, 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. Updates from the Dr. Phillips Charities pertaining to the Hungerford School Property.
(Legislative/Councilman Mack)

V. CITIZEN PARTICIPATION (Three minutes strictly enforced)

VI. PUBLIC HEARING

C. Public Hearing – First Reading - Amending The Existing Use Regulations In Chapter 65 To Permits Farmers Markets (Administration)

VII. COUNCIL DECISIONS

1. Approval of Resolution 2026-51 Waiving the TOE fees for the purpose of Affordable Housing for the CRA 4 Single-Family Housing Project (Administration/CRA)
2. Approval of Resolution 2026-52 Directing Staff And The Town Attorney To Review The Adoption, Interpretation, Implementation, And Billing Of Water And Wastewater Rates (Councilwoman Jordan)

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
EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
OCTOBER 6, 2026, AT 7:30 PM
Cover Sheet

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

ITEM TITLE: Updates from the Dr. Phillips Charities pertaining to the Hungerford School Property. **(Legislative/Councilman Mack)**

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS	YES	Department: LEGISLATIVE/COUNCILMAN MACK
PUBLIC HEARING 1 ST / 2 ND READING		Exhibits: N/A
CONSENT AGENDA		
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Request that the Town Council hear updates from the Dr. Phillips Charities pertaining to the Hungerford School Property

SUMMARY:
On September 30, 2025, the Orange County School Board approved the transfer of the historic Hungerford property from Orange County Public Schools to Dr. Phillips Charities. Beyond the Hungerford property, Eatonville is one of the oldest incorporated Black towns in the United States. At the center of this town’s history is the Hungerford property, formerly home to the Robert L. Hungerford Normal and Industrial School, founded in the late 1800s to provide education to Black students in the South. In recent years, concerns grew over potential private development and the loss of community control.

Dr. Phillips Charities has requested to provide updates during every town council meeting to the town Council on the plans towards redeveloping the Hungerford School property.

RECOMMENDATION: - Recommending that the Town Council hear updates from the Dr. Phillips Charities pertaining to the Hungerford School Property.

FISCAL & EFFICIENCY DATA: N/A



HISTORIC TOWN OF EATONVILLE, FLORIDA

TOWN COUNCIL BOARD MEETING

OCTOBER 6, 2026, AT 07:30 PM

Cover Sheet

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

ITEM TITLE: Public Hearing – First Reading - Amending The Existing Use Regulations In Chapter 65 To Permits Farmers Markets (**Administration**)

BOARD ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: ADMINISTRATION
PUBLIC HEARING 1 ST / 2 ND READING	YES	Exhibits: - Ordinance 2026-7 - Business Impact Estimate (FS Requirements)
CONSENT AGENDA		
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST:
Amend the existing use regulations in Chapter 65 to permits farmers markets in the C-3 zoning district, subject to applicable standards.

SUMMARY:
August 13, 2026, the Planning Board made a recommendation to amend the Town’s Land Development Code to include permitting farmer’s markets as a use in C-3 zoning district, subject to the applicable standards.

Staff reviewed the use regulations and found that farmers markets are currently permitted in the C-1 zoning district. Allowing farmers markets in additional commercial zoning districts would provide the public greater access to fresh produce and serve the public interest by expanding access to locally available food options.

This item/1st hearing was tabled at the September 15, 2026, Council Meeting to bring back at a later date.

RECOMMENDATION:
Approve the proposed amendment to Chapter 65, specifically Table 65-1(c), to permit farmers markets in the C-3 zoning district.

FISCAL & EFFICIENCY DATA: N/A

ORDINANCE 2026-7

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AMENDING ARTICLE IV CHAPTER 65 – USE REGULATIONS OF THE LAND DEVELOPMENT CODE TO REVISE THE USE TABLE BY ADDING FARMERS MARKETS AS A PERMITTED USE WITHIN THE C-3 COMMERCIAL ZONING DISTRICT; ESTABLISHING SPECIFIC USE STANDARDS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, SCRIVENER’S ERRORS AND AN EFFECTIVE DATE.

WHEREAS, F.S. Chapter 163, Part II, authorizes the Town of Eatonville to plan for the Town’s future development and growth and to adopt and amend its Land Development Code, or elements of portions thereof, to guide the future growth and development of the Town; and

WHEREAS, the Planning and Zoning Board, designated as the Local Planning Agency, held a properly noticed Public Hearing on August 13, 2026, to receive public comment on the subject matter of this Ordinance and to make its recommendation to the Town Council; and

WHEREAS, the Town Council held properly noticed Public Hearings at First and Second Reading of this Ordinance to review the recommendations of the Planning and Zoning Board and to receive public comment on the subject matter of this Ordinance; and

WHEREAS, the Town Council finds and determines that this textual amendment is internally consistent with the Town’s Comprehensive Plan and is consistent with other controlling law to include, but not limited to Chapter 163 of the Florida Statutes; and

WHEREAS, the Town Council hereby finds that this Ordinance 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:

SECTION 1. Recitals. The recitals set forth above are hereby adopted as the true and correct legislative findings of the Town Council of the Town of Eatonville, Florida.

SECTION 2. Textual Amendments. Sections 65-1, *Principal Uses*, and 65-3, *Standards Specific to Principal Uses*, of Chapter 65, *Use Regulations*, of the Town of Eatonville Land Development Code are hereby amended as set forth in Exhibit “A,” attached hereto and incorporated herein by reference.

SECTION 3. Codification. It is the intent of the Town Council of the Town of Eatonville that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provisions of this Ordinance.

SECTION 4. Conflicts. All Town ordinances or parts thereof in conflict herewith are, to the extent of such conflict, repealed.

SECTION 5. Severability. If any section, subsection, clause, or provision of this Ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this Ordinance.

SECTION 6. Scrivener’s Errors. The Town Clerk and Town Attorney are authorized to correct typographical and scrivener errors that do not affect the intent of this Ordinance.

SECTION 7. Effective Date. This Ordinance shall become effective upon its adoption.

Upon Motion Duly Made And Carried, the foregoing Ordinance was approved upon its first reading on October 6, 2026.

Upon Motion Duly Made And Carried, the foregoing Ordinance was approved upon its second reading on _____, 2026.

TOWN OF EATONVILLE

Attest:

Ruthi Critton, Mayor

Veronica King, Town Clerk

Approved as to form and legality:

By: _____, Esq.
TG LAW, PLLC as Town Attorney

EXHIBIT A

Sec. 65-1. – Principal Uses.

Table 65-1(c): Principal Uses P = permitted use SE = allowed use with approval of special exception Blank cell = use is prohibited NP = not permitted (DT HIST)											
Use Category	Use Type	Residential Districts			Non-Residential Districts				Overlays		Use-Specific Standards
		R-1	R-2	R-3	C-1	C-2	C-3	I-1	HD/MX/OFF	DT HIST CULT	
	Theater								P	P	
Retail Sales Uses	Alcoholic beverage retail sales						P				
	Bank or other financial institution				P	P			P		
	Check cashing business				P		P				
	Computer hardware service						P				
	Consumer goods establishment				P		P			P	
	Convenience store without gas						P			P	
	Convenience store with gas						SE			NP	
	Drugstore or pharmacy				P	P					
	Farmer's market				P		P				Sec. 65-3(b)(3)
	Grocery store and food				P		P			P	

Sec. 65-3. – Standards Specific to Principal Uses.

3. Farmer's Market

- a. **Farmer's Market, *defined.*** As used in this Section, a temporary, open-air use consisting of multiple vendors offering fresh agricultural products, locally produced food items, locally handcrafted or artisanal goods for direct sale to the public from temporary booths, tents, or similar temporary structures.
- b. **Customer Parking.** Customer Parking shall be calculated using the General Business Ratio as provided in Subpart B of the Land Development Code, Chapter 60, Article XI - Off Street Parking, Sec. 60-304. Parking may be located off site. Lawful on-street parking is permitted as long as utilized in accordance with all

applicable Town parking regulations, including Sections 38-201 through Section 38-210, provided that such parking is not located along residential streets.

- i. **Parking Calculations.** For purposes of calculating parking, the floor area shall be the aggregate area occupied by vendor booths and permanent market structures, excluding pedestrian aisles, landscaped areas, seating areas, and open gathering spaces.
 - c. **Vendor Parking.** One space per vendor booth, which may be located on site or at an approved off-site location, if needed, as determined by the Chief Administrative Officer or designee.
 - d. **Alternative Parking Plan.** An alternative parking plan may be submitted and approved to meet the unique standards for a farmer's market that is not a daily market that provides:
 - i. Estimated number of vendors, hours of operation, explanation demonstrating that adequate parking will be available without adversely impacting adjacent properties or public safety;
 - ii. Parking inventory (on-site spaces, off-site, ADA);
 - iii. Shared parking area(s);
 - iv. Vendor Parking; and
 - v. Overflow Parking (if applicable.)
-



TOWN OF EATONVILLE - BUSINESS IMPACT ESTIMATE/EXEMPTION FORM

This Business Impact Estimate is provided in accordance with Florida Statute §166.041(4). This form should be included in agenda packet for the item under which the proposed Ordinance is to be considered, and must be posted on the Town's website by the time notice of the proposed Ordinance is published. This Business Impact Estimate may be revised following its initial posting.

Proposed Ordinance's Title/Reference:

ORDINANCE 2026-7

AN ORDINANCE OF THE TOWN OF EATONVILLE, FLORIDA, AMENDING ARTICLE IV CHAPTER 65 – USE REGULATIONS OF THE LAND DEVELOPMENT CODE TO REVISE THE USE TABLE BY ADDING FARMERS MARKETS AS A PERMITTED USE WITHIN THE C-3 COMMERCIAL ZONING DISTRICT; ESTABLISHING SPECIFIC USE STANDARDS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.

If one or more boxes are checked below, this means the TOWN OF EATONVILLE is of the view that a business impact estimate is not required for the proposed Ordinance pursuant to Florida Statute §166.041(4)(c), but the TOWN OF EATONVILLE is providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed Ordinance.

[CHECK BOX BELOW AS APPLICABLE]

- ☐ The proposed Ordinance is required for compliance with federal or state law or regulation;
- ☐ The proposed Ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed Ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed Ordinance is required to implement a contract or an agreement, including, but not limited to, any federal, state, local, or private grant, or other financial assistance accepted by the municipal government.
- ☐ The proposed Ordinance is an emergency Ordinance;
- ☐ The proposed Ordinance relates to procurement; or

- ☐ The proposed Ordinance is enacted to implement the following:
- a. A development order or development permit, as defined in s. 163.3164, F.S.; a development agreement as authorized by ss. 163.3220-163.3243, F.S.; or a comprehensive plan amendment or land development regulation amendment initiated by an application by a private party other than the municipality;
 - b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
 - c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
 - d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that although an exemption noted above may apply, the TOWN OF EATONVILLE hereby publishes the following information:

1. Summary of the proposed Ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):
The proposed ordinance expands use(s) for commercial zoning designations, specifically C-3 that provide additional uses for fresh food to be accessible to the town of Eatonville residences.

2. An estimate of the direct economic impact of the proposed Ordinance on private, for-profit businesses in the Town, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur:

No costs are projected to occur as this is an optional use and not required.

(b) Any new charge or fee imposed by the proposed Ordinance, or for which businesses will be financially responsible:

No charges or fee's will be imposed.

(c) An estimate of the Town's regulatory costs, including estimated revenues from any new charges or fees to cover such costs:

No additional costs to add a permitted use to a zoning district.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed Ordinance:

No impact is expected

4. Additional information the governing body deems useful (if any):

No additional information.



NOTICE OF PUBLIC HEARING

The **TOWN OF EATONVILLE, FLORIDA** proposes to adopt the following Ordinance:

ORDINANCE NO. 2026-7

AN ORDINANCE OF THE TOWN OF EATONVILLE, FLORIDA, AMENDING ARTICLE IV CHAPTER 65 – USE REGULATIONS OF THE LAND DEVELOPMENT CODE TO REVISE THE USE TABLE BY ADDING FARMERS MARKETS AS A PERMITTED USE WITHIN THE C-3 COMMERCIAL ZONING DISTRICT; ESTABLISHING SPECIFIC USE STANDARDS; PROVIDING FOR ADOPTION OF RECITALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Two Public Hearings will be held on the Proposed Ordinance as follows:

- 1. First Public Hearing and First Reading: October 6, 2026, at 7:30 p.m. (Rescheduled)**
(First Hearing on September 15, 2026, was tabled to be brought back)
- 2. Second Public Hearing and Second Reading: October 20, 2026, at 7:30 p.m.**

Both Public Hearings will be held at **Eatonville Town Hall, 307 E. Kennedy Boulevard, Eatonville, Florida 32751**. Interested persons may appear at either Public Hearing and be heard regarding the proposed ordinance.



APPEAL NOTICE: In accordance with Florida Statute §286.0105, any person who decides to appeal any decision made by the Town Council with respect to any matter considered at these public hearings 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 record includes the testimony and evidence upon which the appeal is to be based.

ADA NOTICE: In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodations to participate in these proceedings should contact the **Town Clerk at (407) 623-8910** at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing **711**.

September 22, 2026
 From: Veronica King
 TO:

Orlando Sentinel Legal Ads

Please place the following display legal ad in your paper on Saturday, September 26, 2026. Please provide proof prior to and proof of publication.

Begin Ad

NOTICE OF PUBLIC HEARINGS (1 and 2nd READING)

BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, NOTICE IS HEREBY GIVEN to hear the proposed Ordinance 2026-7 Amending Article IV Chapter 65 – Use Regulations Of The Land Development Code To Revise The Use Table By Adding Farmers Markets As A Permitted Use Within The C-3 Commercial Zoning District; Establishing Specific Use Standards at the **first public hearing** by the Town Council of the Town of Eatonville, Florida, on Tuesday, October 6, 2026, at 7:30 p.m., and a **second public hearing** by the Town Council of the Town of Eatonville, Florida, on Tuesday, October 20, 2026, at 7:30 p.m. or as soon thereafter as this matter can be heard, at the Town Hall, located at 307 E. Kennedy Blvd, FL 32751.



AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AMENDING ARTICLE IV CHAPTER 65 – USE REGULATIONS OF THE LAND DEVELOPMENT CODE TO REVISE THE USE TABLE BY ADDING FARMERS MARKETS AS A PERMITTED USE WITHIN THE C-3 COMMERCIAL ZONING DISTRICT; ESTABLISHING SPECIFIC USE STANDARDS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, SCRIVENER’S ERRORS AND AN EFFECTIVE DATE.

At the aforementioned public hearing, all interested parties may appear to be heard with respect to the proposed Ordinance 2026-7 Amending Article IV Chapter 65 – Use Regulations Of The Land Development Code To Revise The Use Table By Adding Farmers Markets As A Permitted Use Within The C-3 Commercial Zoning District; Establishing Specific Use Standards. These public hearings may be continued to one or more future dates.

Copies of the proposed Ordinance 2026-7 are available for public inspection at the Town Hall, located at 307 E. Kennedy Boulevard, Eatonville, Florida, during regular business hours, 8:00 a.m. - 5:00 p.m., Monday – Friday.

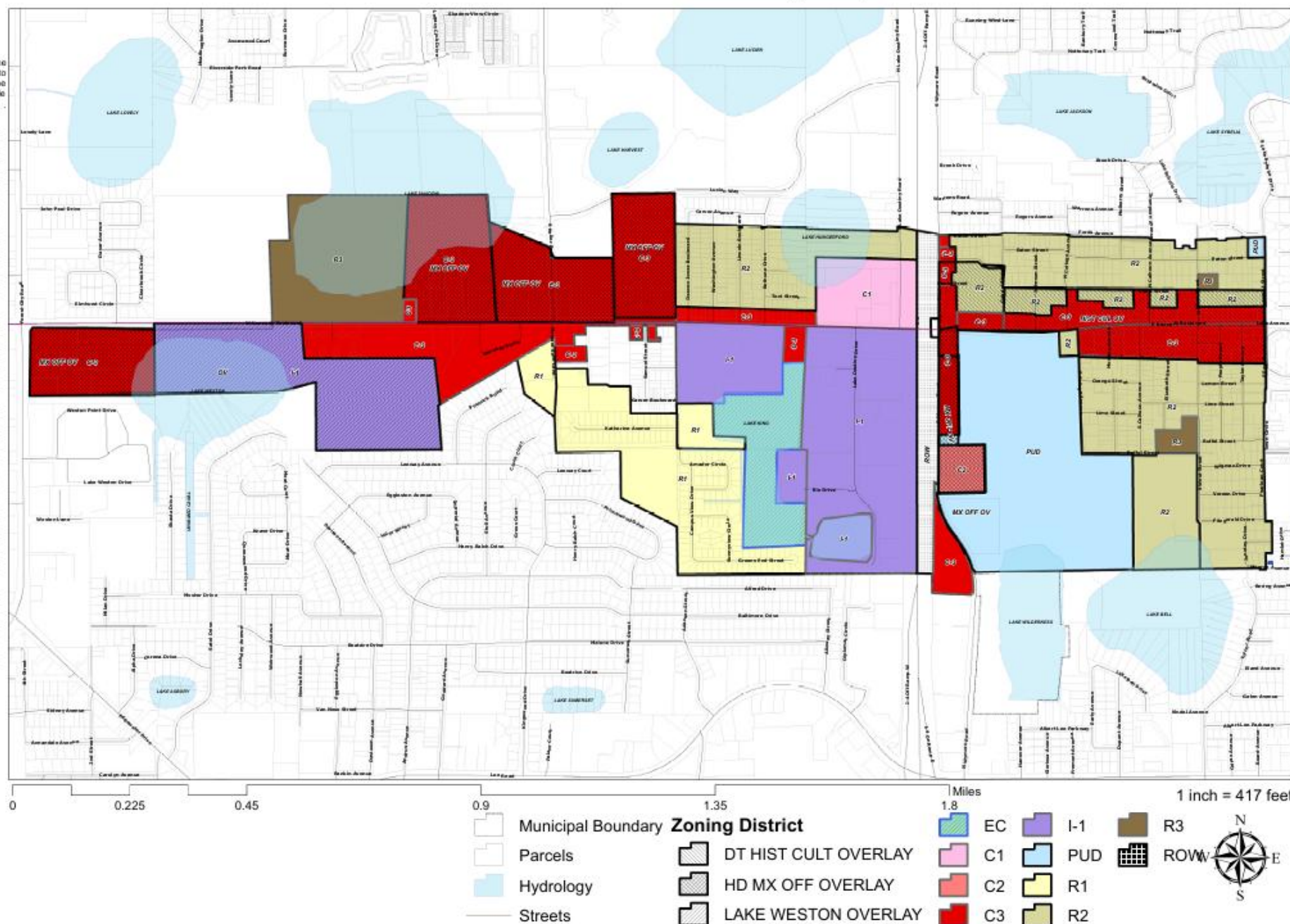
Any person requiring reasonable accommodation to participate in this meeting should contact the Office of the Town Clerk at (407) 623-8910 at least three days in advance so arrangements can be made. All persons are advised that if they decide to appeal any decision made at the above referenced public hearings, they will need a record of the proceedings, and that, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

End of Ad

Town of Eatonville Official Zoning Map



This is to certify that this is the Official Zoning Map referred to in Article II of chapter 64 of the Town of Eatonville Development Code adopted on ____ / ____ / ____.



**Published Daily in
Orange, Seminole, Lake, Osceola & Volusia Counties, Florida**

Sold To:

Town Of Eatonville - 104696
PO BOX 2163
EATONVILLE, FL 32751-6800

Bill To:

Town Of Eatonville - 104696
PO BOX 2163
EATONVILLE, FL 32751-6800

**State Of Florida
County Of Orange**

Before the undersigned authority personally appeared Rose Williams, who on oath says that he or she is a duly authorized representative of the ORLANDO SENTINEL, a DAILY newspaper published in Orange/Seminole-Lake-Osceola-Volusia County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of Ordinance 2026-7 Was published in said newspaper by print in the issues of, or by publication on the newspaper's website, if authorized on 26 Sep 2026.

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



Rose Williams

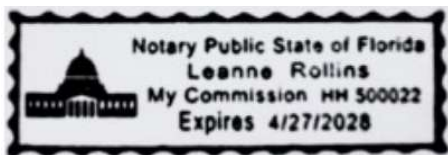
Signature of Affiant

Name of Affiant

Sworn to and subscribed before me on 26 Sep 2026,
by above Affiant, who is personally known to me (X) or who has produced identification ().



Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped

149113

NOTICE OF PUBLIC HEARINGS (1 and 2nd READING)

BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, NOTICE IS HEREBY GIVEN to hear the proposed Ordinance 2026-7 Amending Article IV Chapter 65 – Use Regulations Of The Land Development Code To Revise The Use Table By Adding Farmers Markets As A Permitted Use Within The C-3 Commercial Zoning District; Establishing Specific Use Standards at the **first public hearing** by the Town Council of the Town of Eatonville, Florida, on Tuesday, October 6, 2026, at 7:30 p.m., and a **second public hearing** by the Town Council of the Town of Eatonville, Florida, on Tuesday, October 20, 2026, at 7:30 p.m. or as soon thereafter as this matter can be heard, at the Town Hall, located at 307 E. Kennedy Blvd, FL 32751.



AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AMENDING ARTICLE IV CHAPTER 65 – USE REGULATIONS OF THE LAND DEVELOPMENT CODE TO REVISE THE USE TABLE BY ADDING FARMERS MARKETS AS A PERMITTED USE WITHIN THE C-3 COMMERCIAL ZONING DISTRICT;

ESTABLISHING SPECIFIC USE STANDARDS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY, SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.

At the aforementioned public hearing, all interested parties may appear to be heard with respect to the proposed Ordinance 2026-7 Amending Article IV Chapter 65 – Use Regulations Of The Land Development Code To Revise The Use Table By Adding Farmers Markets As A Permitted Use Within The C-3 Commercial Zoning District; Establishing Specific Use Standards. These public hearings may be continued to one or more future dates.

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149113



HISTORIC TOWN OF EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
OCTOBER 6, 2026, AT 7:30 PM
Cover Sheet

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

ITEM TITLE: Resolution 2026-51 Waiving the TOE fees for the purpose of Affordable Housing for the CRA 4 Single-Family Housing Project
(Administration/CRA)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: (ADMINISTRATION/CRA) Exhibits: Resolution 2026 - 51
PUBLIC HEARING 1ST / 2ND READING		
CONSENT AGENDA		
COUNCIL DECISION	YES	
ADMINISTRATIVE		

REQUEST: Approval of Resolution 2026 - 51

SUMMARY: Section 163.31801(11), Florida Statutes, expressly allows a municipality to waive its impact fee for housing meeting the statutory affordable-housing definition without requiring the municipality to use other revenues to offset that waiver. The statute also distinguishes water/sewer connection fees from statutory “impact fees”. The CRA nexus is also strong: §163.360 requires CRA plans either to address affordable housing or explain why they do not, while §163.355 expressly recognizes redevelopment that includes housing affordable to low- and moderate-income residents as serving the public welfare. The school impact fee exclusion in the draft avoids implying that Eatonville is exercising authority belonging to the school district or another assessing entity.

RECOMMENDATION: **Waiver:** 100% of eligible Town of Eatonville-assessed fees.

FISCAL & EFFICIENCY DATA: N/A

RESOLUTION 2026-51

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AUTHORIZING AND APPROVING THE WAIVER OF TOWN-ASSESSED DEVELOPMENT, BUILDING, PERMITTING, PLAN REVIEW, UTILITY CONNECTION, IMPACT, AND OTHER APPLICABLE MUNICIPAL FEES FOR THE TOWN OF EATONVILLE COMMUNITY REDEVELOPMENT AGENCY'S FOUR-UNIT SINGLE-FAMILY HOUSING DEVELOPMENT PROJECT TO BE CONSTRUCTED ON VARIOUS CRA-OWNED RESIDENTIAL LOTS ZONED R-2; EXPRESSLY EXCLUDING SCHOOL IMPACT FEES AND ANY OTHER FEES OR CHARGES NOT WITHIN THE LEGAL AUTHORITY OF THE TOWN TO WAIVE; PROVIDING FOR FINDINGS OF PUBLIC PURPOSE; PROVIDING FOR ADMINISTRATIVE IMPLEMENTATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Eatonville, Florida ("Town"), is a municipal corporation organized and existing under the laws of the State of Florida and possesses those home-rule powers granted by the Florida Constitution and applicable Florida law; and

WHEREAS, the Town of Eatonville Community Redevelopment Agency ("CRA") was established pursuant to Part III, Chapter 163, Florida Statutes, to undertake community redevelopment activities within the Eatonville Community Redevelopment Area; and

WHEREAS, Section 163.360, Florida Statutes, recognizes affordable housing as an appropriate component of a community redevelopment plan and requires a redevelopment plan to provide for the development of affordable housing within the redevelopment area or state the reasons for not addressing affordable housing; and

WHEREAS, the Town and CRA have identified the development and expansion of quality single-family housing opportunities as an important component of neighborhood stabilization, redevelopment, economic development, elimination of blighting influences, and enhancement of the Town's residential neighborhoods; and

WHEREAS, the CRA owns various residential parcels located within the Town of Eatonville that are zoned R-2 Residential and are suitable for development consistent with the Town's Comprehensive Plan, Land Development Regulations, CRA Redevelopment Plan, and other applicable requirements; and

WHEREAS, the CRA proposes to develop four (4) single-family residential dwelling units on various CRA-owned R-2 residential lots (collectively, the "CRA Four-Unit Single-Family Housing Project" or "Project"); and

WHEREAS, the Project is intended to return CRA-owned residential property to productive use, expand the Town's housing inventory, promote homeownership opportunities, improve neighborhood conditions, increase residential investment, and advance the redevelopment objectives of the Town and CRA; and

WHEREAS, the Town Council finds that reducing governmental development costs associated with construction of the four residential units will allow a greater portion of available project resources to be devoted directly to housing construction and related site improvements and will assist the CRA in delivering the Project in a financially responsible manner; and

WHEREAS, Section 163.31801, Florida Statutes, authorizes a county, municipality, or special district to provide an exception or waiver of an impact fee for development or construction of housing meeting the statutory definition of affordable housing, subject to applicable requirements; and

WHEREAS, Section 166.04151, Florida Statutes, recognizes fee reductions and waivers, including impact fees and water and sewer charges, among the incentives that municipalities may employ in connection with affordable housing; and

WHEREAS, the Town Council desires to support the CRA Four-Unit Single-Family Housing Project by waiving those development-related fees, permit fees, impact fees, utility connection fees, administrative fees, and other charges that are assessed by or payable directly to the Town and that the Town Council possesses lawful authority to waive; and

WHEREAS, the Town Council specifically intends that this Resolution shall not waive, reduce, reimburse, or otherwise affect any school impact fee assessed in connection with the Project; and

WHEREAS, the Town Council further intends that this Resolution shall not waive any fee, assessment, charge, or obligation imposed by Orange County, Orange County Public Schools, the State of Florida, a special district, utility provider, or any other governmental or private entity when such fee or charge is not within the Town's lawful authority to waive; and

WHEREAS, the Town Council finds that the waiver authorized by this Resolution serves a valid municipal and public purpose by facilitating residential redevelopment, encouraging new housing construction, promoting neighborhood stabilization, returning publicly owned redevelopment property to productive residential use, and furthering the objectives of the Town's adopted plans and policies.

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

SECTION 1. RECITALS AND FINDINGS. The foregoing recitals are hereby adopted and incorporated into this Resolution as the legislative findings of the Town Council.

The Town Council further finds that development of the CRA Four-Unit Single-Family Housing Project constitutes a public and municipal purpose and advances the Town's community redevelopment, housing, neighborhood stabilization, economic development, and community development objectives.

SECTION 2. PROJECT IDENTIFICATION. The fee waiver authorized by this Resolution shall apply exclusively to the Town of Eatonville Community Redevelopment Agency Four-Unit Single-Family Housing Project, consisting of four (4) single-family residential dwelling units proposed for construction on various CRA-owned residential parcels zoned R-2 within the Town of Eatonville. The Chief Administrative Officer, or designee, may maintain an administrative list identifying the parcel addresses, parcel identification numbers, building permit numbers, and other information necessary to identify each of the four Project properties.

SECTION 3. WAIVER OF TOWN-ASSESSED FEES. Subject to applicable law and the limitations contained herein, the Town Council hereby waives one hundred percent (100%) of all eligible fees and charges assessed directly by the Town of Eatonville in connection with the planning, permitting, construction, development, and initial occupancy of the four residential units comprising the Project.

The waiver is intended to include, to the extent assessed by the Town and legally waivable:

1. Building permit fees;
2. Building plan review fees;
3. Planning and zoning review fees;
4. Development review fees;
5. Site-plan or administrative review fees;
6. Electrical permit fees;
7. Plumbing permit fees;
8. Mechanical/HVAC permit fees;
9. Roofing permit fees;
10. Residential construction permit fees;
11. Inspection fees associated with Town-issued permits;
12. Certificate of occupancy or completion fees;
13. Fire review or inspection fees assessed by the Town, where legally waivable;
14. Right-of-way or driveway permit fees assessed by the Town;
15. Water connection or tap fees assessed by the Town;
16. Sewer connection or tap fees assessed by the Town;
17. Meter installation or similar Town utility development charges, where legally waivable;
18. Town transportation, parks, recreation, public safety, or other municipal impact fees, where legally waivable;
19. Administrative processing fees directly related to development of the Project; and
20. Any other development-related fee or charge imposed directly by the Town that the Town Manager/Chief Administrative Officer, Town Attorney, Building Official, or appropriate Town department determines may lawfully be waived pursuant to this Resolution.

SECTION 4. SCHOOL IMPACT FEES EXPRESSLY EXCLUDED. School impact fees are expressly excluded from the waiver authorized by this Resolution. Nothing contained herein shall be interpreted or construed as waiving, reducing, reimbursing, crediting, assuming, or otherwise modifying any school impact fee assessed against any of the four residential units. Any applicable school impact fee shall remain due and payable in accordance with the requirements of the governmental entity or school district having jurisdiction over such fee.

SECTION 5. OTHER NON-TOWN FEES EXCLUDED. This Resolution does not waive any fee or charge imposed or collected by an entity other than the Town when the Town does not possess legal authority to waive such fee.

Excluded charges include, as applicable, fees imposed by:

- Orange County;
- Orange County Public Schools;
- the State of Florida;
- independent or dependent special districts where the Town lacks waiver authority;
- private or independent utility providers; and
- any other governmental or private entity possessing independent authority to impose such charge.

SECTION 6. NO TRANSFER OF WAIVER. The fee waiver authorized herein is project-specific and is granted to facilitate development of the CRA Four-Unit Single-Family Housing Project. The waiver shall not constitute a general waiver applicable to unrelated properties, developers, contractors, property owners, or development projects. The subsequent sale or conveyance of a completed dwelling unit to an eligible purchaser shall not, by itself, require repayment of properly waived fees unless repayment is otherwise required by applicable law or a separate agreement governing the Project.

SECTION 7. AFFORDABILITY COMPLIANCE, IF APPLICABLE. To the extent any waiver provided by this Resolution relies upon the affordable-housing provisions of Section 163.31801, Florida Statutes, or any other statutory affordable-housing incentive, the CRA shall maintain documentation sufficient to demonstrate that the applicable dwelling unit satisfies the statutory requirements for such waiver. Nothing herein shall prevent the Town from waiving independently authorized municipal fees that do not require an affordable-housing qualification.

SECTION 8. ADMINISTRATIVE IMPLEMENTATION. The Chief Administrative Officer, Finance Director, Building Official, Planning and Zoning Department, Public Works Department, Utility Department, and all other applicable Town departments are hereby authorized and directed to take all administrative actions reasonably necessary to implement this Resolution. Town staff shall identify qualifying Project applications and permits within the Town's permitting and financial systems as:

"TOE CRA FOUR-UNIT SINGLE-FAMILY HOUSING PROJECT – TOWN FEES WAIVED PURSUANT TO RESOLUTION NO. 2026-51."

Where appropriate for accounting, auditing, or financial reporting purposes, the Town may record the amount of each fee that otherwise would have been assessed together with the corresponding waiver authorized by this Resolution.

SECTION 9. NO WAIVER OF DEVELOPMENT STANDARDS. The waiver of fees provided herein shall not constitute a waiver of any applicable building code, zoning requirement, land-development regulation, comprehensive-plan requirement, floodplain requirement, fire-safety requirement, engineering standard, utility standard, inspection requirement, or other substantive development standard. The four residential units shall remain subject to all applicable development, permitting, inspection, construction, life-safety, and certificate-of-occupancy requirements.

SECTION 10. PUBLIC PURPOSE. The Town Council hereby determines that the expenditure, foregone revenue, and municipal assistance represented by the fee waivers authorized herein serve a valid public purpose by supporting community redevelopment and facilitating construction of

new single-family housing within the Town. The Council further finds that the anticipated public benefits include neighborhood stabilization, productive reuse of CRA-owned residential property, expansion of housing opportunities, enhancement of the Town's residential tax base following disposition to private ownership, and implementation of the Town's and CRA's redevelopment objectives.

SECTION 11. CONFLICTS. All resolutions or portions of resolutions in conflict with this Resolution are hereby repealed to the extent of such conflict.

SECTION 12. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or provision of this Resolution is held invalid or unconstitutional by a court of competent jurisdiction, such determination shall not affect the validity of the remaining portions of this Resolution.

SECTION 13. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption by the Town Council of the Town of Eatonville, Florida.

PASSED AND ADOPTED by the Town Council of the Town of Eatonville, Florida, this 6th day of October 2026.

**TOWN OF EATONVILLE,
FLORIDA**

By: _____
Ruthi Critton, Mayor

ATTEST:

Veronica King, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Town Attorney

EXHIBIT "A "

CRA FOUR-UNIT SINGLE-FAMILY HOUSING PROJECT

The fee waiver authorized by Resolution No. 2026-51 applies to the following CRA-owned residential properties:

Unit	Property Address	Parcel ID	Zoning	Proposed Use
1	<u>121 S. West St.</u>	<u>35-21-29-1352-12-070</u>	R-2	Single-Family Residence
2	<u>119 S. West St.</u>	<u>35-21-29-1352-12-080</u>	R-2	Single-Family Residence
3	<u>280 People St.</u>	<u>35-21-29-1352-12-010</u>	R-2	Single-Family Residence
4	<u>300 People St.</u>	<u>35-21-29-1352-12-020</u>	R-2	Single-Family Residence

407-623-8917

mjohnson@townofeatonville.org

307 E Kennedy Blvd,
Eatonville, FL 32751

9/22/2026

TO: Mayor Ruthi Critton and Members of the Town Council

FROM: Michael Johnson, Executive Director Eatonville Community Redevelopment Agency

Re: AGENDA ITEM: Resolution No. 2026-⁵¹~~47~~ – Waiver of Town-Assessed Fees for the Eatonville
CRA Four-Unit Single-Family Housing Project

EXECUTIVE SUMMARY

The Eatonville Community Redevelopment Agency ("CRA") proposes the development of Four (4) new single-family homes on various CRA-owned residential lots zoned R-2 within the Town of Eatonville. The proposed resolution would authorize the waiver of eligible development-related fees assessed directly by the Town for these Four homes, including applicable building, permitting, plan-review, development-review, utility connection, municipal impact, and related Town-controlled charges where legally permissible.

School impact fees are expressly excluded from the waiver, as are fees imposed by Orange County, Orange County Public Schools, the State of Florida, special districts, utilities, or other entities where the Town does not possess legal authority to waive the charge.

The proposed action is intended to reduce the governmental cost of producing the Four homes, maximize the CRA's investment in actual housing construction, support attainable homeownership, return CRA-owned residential lots to productive use, and promote neighborhood stabilization.

The approach is consistent with broader affordable-housing strategies used in Orange County. Orange County's 2026 Affordable Housing on Religious Institution Lands ("AHRIL") framework recognizes both single-family and multifamily residential development, including ownership housing, as forms of affordable-housing development. Florida law also expressly permits municipalities to provide exceptions or waivers of impact fees for qualifying affordable housing.

BACKGROUND

The CRA owns multiple residential parcels within the Town that are zoned R-2 and suitable for single-family residential development. Rather than continuing to hold these properties as vacant or underutilized public assets, the CRA proposes to construct Four single-family homes as part of its neighborhood revitalization and housing initiative.

Development of the properties advances several public objectives:

- increasing the supply of quality single-family housing;
- expanding opportunities for homeownership;
- placing CRA-owned residential property into productive use;
- eliminating vacant-property conditions that may contribute to neighborhood deterioration;
- encouraging private investment in surrounding residential neighborhoods;

- strengthening the residential character of established neighborhoods; and
- ultimately returning the properties to the taxable property base following conveyance to private homeowners.

Development fees represent a direct component of the cost of constructing each home. Because the CRA and Town are both public entities working toward the same housing and redevelopment objectives, requiring the CRA project to pay eligible Town-controlled fees can effectively transfer public resources from one public purpose to another rather than increasing the resources available for construction.

The proposed resolution therefore provides a targeted 100% waiver of eligible Town-assessed fees for these Four homes only. It does not establish a general fee waiver for private development.

CONSISTENCY WITH ORANGE COUNTY HOUSING GUIDELINES

The proposed Town action is consistent in principle with Orange County's use of regulatory and financial incentives to facilitate affordable-housing production. Orange County's 2026 AHRIL program expressly recognizes single-family and multifamily residential uses, including rental and ownership housing, within its affordable-housing framework. The County's program demonstrates the broader policy principle that local governments may reduce regulatory and development barriers when doing so facilitates qualifying affordable-housing production.

The proposed Eatonville initiative applies that principle on a smaller, targeted scale: publicly controlled land is combined with local governmental development-cost relief to increase the feasibility of homeownership housing.

The Town's action is also consistent with Florida's statutory affordable-housing framework. Section 163.31801(11), Florida Statutes, expressly provides that a municipality may grant an exception or waiver from an impact fee for development or construction of qualifying affordable housing and is not required to use other revenues to offset that impact-fee waiver.

Additionally, Section 166.04151, Florida Statutes, recognizes reductions or waivers of impact fees and water and sewer charges as potential municipal affordable-housing incentives. Accordingly, the proposed resolution uses a recognized housing-policy mechanism: reduce eligible governmental development costs so that more project resources can be directed toward producing housing.

For purposes of accountability, staff further recommends that the CRA document the affordability requirements applicable to the project, including purchaser eligibility, household-income requirements, owner-occupancy requirements, sales-price methodology, and any required affordability or resale-control period.

FISCAL IMPACT

Approval of the resolution will result in the Town foregoing certain one-time development-related revenues that otherwise could be assessed against the Four residential units. The precise fiscal impact should be calculated by the Building Department, Planning and Zoning, Finance, Public Works/Utilities, and other applicable departments before issuance of the individual building permits.

For transparency, staff recommends maintaining a fee-waiver schedule substantially in the following form:

- Building/Permit Fees
- Plan/Development Review
- Town Impact Fees
- Water Connection/Tap
- Sewer Connection/Tap
- Other Eligible Town Fees
- School Impact Fees -NOT WAIVED

The waiver should be accounted for as a foregone municipal revenue/public housing incentive, rather than represented as a cash payment from the Town to the CRA. Importantly, Florida law provides that when a qualifying affordable-housing impact fee is waived under §163.31801(11), the municipality is not required to replace the waived impact-fee amount with other revenues.

PUBLIC BENEFIT

The public benefit extends beyond the dollar value of the waived fees.
The proposed partnership leverages CRA-owned land + CRA housing investment + Town development-cost relief to produce Four new residential assets.

The anticipated benefits include:

Housing Production. Four additional single-family homes will be added to Eatonville's housing inventory.

Homeownership. The project can create Four opportunities for households to transition into homeownership, subject to the CRA's adopted purchaser and affordability requirements.

Neighborhood Stabilization. Construction on vacant or underutilized CRA-owned lots places those properties into active residential use and encourages continued investment in surrounding neighborhoods.

Reduced Development Cost. Eligible Town fee waivers allow a greater share of project funding to be invested directly in construction rather than governmental transaction costs.

Public Asset Conversion. CRA-owned vacant land is converted into occupied housing serving a long-term community purpose.

Tax-Base Impact. Following completion and conveyance to private homeowners, the properties may return to taxable private ownership, subject to applicable assessments and exemptions.

CRA Plan Implementation. The project supports community redevelopment objectives related to neighborhood revitalization, housing, elimination of deteriorating conditions, and productive reuse of CRA-controlled property.

The fundamental public-benefit structure is:

CRA-Owned Residential Land → Town Fee Relief → Reduced Development Cost → Four New Homes → Qualified Homeowners → Neighborhood Stabilization → Productive Private Residential Property

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Resolution No. 2026-⁵¹~~47~~, authorizing the waiver of eligible Town-assessed fees associated with the CRA's Four-unit single-family housing project, subject to the following conditions:

1. The waiver applies exclusively to the Four identified CRA-owned R-2 residential properties.
2. Only fees legally controlled by the Town may be waived.
3. School impact fees shall not be waived.
4. Fees imposed independently by Orange County, Orange County Public Schools, the State of Florida, special districts, or other entities remain applicable unless separately waived by the entity having jurisdiction.
5. The waiver does not eliminate any building-code, zoning, permitting, inspection, engineering, life-safety, utility, or certificate-of-occupancy requirement.
6. Town Finance and applicable departments shall document the amount of each fee waived for each property.

7. The CRA shall maintain documentation of any affordability, purchaser-eligibility, owner-occupancy, resale, or affordability-period requirements applicable to the project.
8. The Town Attorney shall confirm the legal authority for each category of fee to be waived before implementation.

This approach provides Council with a clear record demonstrating both the fiscal value of the Town's contribution and the measurable housing benefit expected in return.



HISTORIC TOWN OF EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
OCTOBER 6, 2026, 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 2026-52 Directing Staff And The Town Attorney To Review The Adoption, Interpretation, Implementation, And Billing Of Water And Wastewater Rates (**Councilwoman Jordan**)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: LEGISLATIVE Exhibits: Resolution 2026 - 52
PUBLIC HEARING 1ST / 2ND READING		
CONSENT AGENDA		
COUNCIL DECISION	YES	
ADMINISTRATIVE		

REQUEST: Requesting approval of Resolution 2026-52 Directing Staff And The Town Attorney To Review The Adoption, Interpretation, Implementation, And Billing Of Water And Wastewater Rates.

SUMMARY: This resolution records a formal resolution by the Town Council of Eatonville, Florida, directing staff and the town attorney to review the adoption, interpretation, implementation, and billing of water and wastewater rates.

Background and Purpose: The town updated its approach to setting water and wastewater rates, moving from ordinances (Ordinance #97-07 and 2016-4) to a more flexible resolution-based model (Ordinance No. 2024-10). Several resolutions were passed to implement new rate structures reflecting recommendations from the Florida Rural Water Association, aiming for financial sustainability and infrastructure improvements. Rate Implementation Issues: Questions arose about the specificity, communication, and application of these new rates, particularly regarding how usage charges were calculated and billed. Amendments were made to clarify units (per 1,000 gallons) and calculation methods for water usage charges. The resolution is for a council-directed

review due to ongoing concerns and lack of timely findings by staff. The council wishes to mandate a full review with a 14-business-day deadline. This process aims to guarantee fairness and clarity for all residents and businesses in the utility billing system.

RECOMMENDATION: Recommending that town council approve Resolution 2026-52 Directing Staff And The Town Attorney To Review The Adoption, Interpretation, Implementation, And Billing Of Water And Wastewater Rates

FISCAL & EFFICIENCY DATA: N/A

RESOLUTION NO. 2026- 52

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, DIRECTING TOWN STAFF AND THE TOWN ATTORNEY TO REVIEW THE ADOPTION, INTERPRETATION, IMPLEMENTATION, AND BILLING OF WATER AND WASTEWATER RATES UNDER ORDINANCE NO. 2024-10, RESOLUTION NO. 2024-40, AND RESOLUTION NO. 2025-10; REQUIRING WRITTEN FINDINGS TO THE TOWN COUNCIL WITHIN FOURTEEN TOWN BUSINESS DAYS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on December 3, 2024, the Town Council adopted Ordinance No. 2024-10, which repealed Ordinance Nos. 97-07 and 2016-4 and provided for future adoption of water and wastewater rates, fees, and connection charges by resolution; and

WHEREAS, on December 3, 2024, the Town Council adopted Resolution No. 2024-40 and its Exhibit A, setting out water and wastewater base charges and usage charges for specified fiscal years; and

WHEREAS, the original Exhibit A listed usage ranges and dollar amounts but did not expressly state the unit to which each usage charge applied or how charges across usage ranges were calculated; and

WHEREAS, on July 1, 2025, the Town Council adopted Resolution No. 2025-10, amending Exhibit A to state that usage charges are based on each 1,000 gallons used; and

WHEREAS, since January 2025, Town staff has advised the Town Council that the issues concerning the utility rate structure, its interpretation, and its implementation remained under review; and

WHEREAS, because the review has continued without final written findings or recommended action, the Town Council has lost confidence that the administration will complete and act upon the review on its own without a firm deadline established by the Town Council; and

WHEREAS, the Town Council recognizes that, if the review determines that the Town made a billing or rate-implementation error that caused residents or businesses to be overcharged, the Town has a responsibility to promptly reimburse or credit the affected residents and businesses in accordance with applicable law; and

WHEREAS, the Town Council wishes to receive a documented review of the governing enactments, applicable law, billing records, customer notice, and any available options for addressing billing questions;

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

Section 1. Direction and records. The chief administrative officer, the finance and utility billing staff, and the Town Attorney are directed to review the matters identified below. Staff shall make available to the Town Attorney the adopted and codified enactments, the utility rate study and supporting schedules, meeting notices and minutes or recordings, customer billing notices, billing policies and software settings, representative bills, and other records needed for the review. The review shall distinguish the period before July 1, 2025, from the period after adoption of Resolution No. 2025-10.

Section 2. Questions for review. The written findings shall address, at a minimum:

- (a) Whether Ordinance No. 2024-10 validly authorized adoption of the rates by resolution in light of any Town Code provision requiring an ordinance, and whether a further code amendment or ratifying action is advisable;

- (b) What Resolution No. 2024-40 and its original Exhibit A actually prescribed concerning the unit of usage, application of the listed usage ranges, and calculation of a water or wastewater bill, including a worked example for 40,000 gallons of residential water use;
- (c) The legal effect and effective date of Resolution No. 2025-10, including whether its express per-1,000-gallon language may be applied to usage billed before its adoption;
- (d) Whether notice required by section 180.136, Florida Statutes, and any other applicable adoption or public meeting requirements was given before the relevant rate increases; and
- (e) Whether the rates actually billed matched the governing rates for each relevant period; the scope of any discrepancy, including estimated affected dates and accounts; and legally available corrective options, including prospective clarification, credits, refunds, or other appropriate action.

Section 3. Written findings and deadline. Within fourteen (14) Town business days after adoption of this Resolution, excluding the date of adoption and days on which Town Hall is closed, staff and the Town Attorney shall deliver their written findings and recommendations to every member of the Town Council through the Town Clerk. The report shall identify the records reviewed, state any material factual disputes or missing records, distinguish staff findings from legal conclusions, and cite the legal authority for the conclusions. The Town Clerk shall place the report on the agenda of the next practicable public Council meeting, subject to applicable public records and attorney-client confidentiality law.

Section 4. No predetermined outcome. This Resolution requests findings and recommendations. It does not determine that any rate, bill, or prior Council action was lawful or unlawful; change any rate; order a refund or credit; or waive any right or defense of the Town or a customer.

Section 5. Effective date. This Resolution takes effect immediately upon adoption.

PASSED AND ADOPTED by the Town Council of the Town of Eatonville, Florida, this ____ day of _____, 2026.

ATTEST:

TOWN OF EATONVILLE, FLORIDA

Town Clerk

Mayor

Approved as to form and legal sufficiency:

Town Attorney



HISTORIC TOWN OF EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
DECEMBER 3, 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 Second Reading of Ordinance 2024-10 – Repealing Ordinance No. 97-07 And Ordinance No. 2016-4; Providing for the Future Adoption of Water And Wastewater Service Rates and Fees By Resolution (**ADMINISTRATION**)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: (ADMINISTRATION)
PUBLIC HEARING 1ST / 2ND READING	YES	Exhibits: • Ordinance 2024-10
CONSENT AGENDA		
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Request is made for Town Council to Approve the Second Reading of Ordinance 2024-10 – Repealing Ordinance No. 97-07 and Ordinance No. 2016-4; Providing for the Future Adoption of Water And Wastewater Service Rates and Fees By Resolution.

SUMMARY: the Town previously adopted Ordinance No. 97-07 and Ordinance No. 2016-4 establishing water and wastewater service rates, fees, and connection charges to support the Town’s utility services and infrastructure. On September 3, 2024, the Town Council adopted Resolution No. 2024-4 and Resolution No. 2024-25, which updated the Town’s Asset Management and Fiscal Sustainability Plan (the “Asset Management Plan”) to include the Water System Improvements and Wastewater Utility System Improvements recommended by the Florida Rural Water Association. Pursuant to and in accordance with the updated Asset Management Plan, the Town has determined that it is necessary to revise the water and wastewater service rates to ensure the continued provision of high-quality services to the Town’s residents and businesses. Town desires to repeal previous ordinances setting water and wastewater rates and fees and to establish a new procedure for adopting and updating such rates and fees by resolution of the Town Council. The repeal of Ordinance No. 97-07 and Ordinance No. 2016-4 and the adoption of updated rates by resolution will promote the public health, safety, and welfare of the Town of Eatonville.

The first reading was held on Tuesday, November 5, 2014.

RECOMMENDATION: Recommendation is for Town Council to Approve the Second Reading of Ordinance 2024-10 – Repealing Ordinance No. 97-07 and Ordinance No. 2016-4; Providing for the Future Adoption of Water And Wastewater Service Rates and Fees By Resolution

FISCAL & EFFICIENCY DATA: N/A

ORDINANCE NO. 2024-10

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, REPEALING ORDINANCE NO. 97-07 AND ORDINANCE NO. 2016-4; PROVIDING FOR THE FUTURE ADOPTION OF WATER AND WASTEWATER SERVICE RATES AND FEES BY RESOLUTION; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town previously adopted Ordinance No. 97-07 and Ordinance No. 2016-4 establishing water and wastewater service rates, fees, and connection charges to support the Town’s utility services and infrastructure; and

WHEREAS, on September 3, 2024, the Town Council adopted Resolution No. 2024-4 and Resolution No. 2024-25, which updated the Town’s Asset Management and Fiscal Sustainability Plan (the “Asset Management Plan”) to include the Water System Improvements and Wastewater Utility System Improvements recommended by the Florida Rural Water Association; and

WHEREAS, pursuant to and in accordance with the updated Asset Management Plan, the Town has determined that it is necessary to revise the water and wastewater service rates to ensure the continued provision of high-quality services to the Town’s residents and businesses; and

WHEREAS, the Town desires to repeal previous ordinances setting water and wastewater rates and fees and to establish a new procedure for adopting and updating such rates and fees by resolution of the Town Council; and

WHEREAS, the repeal of Ordinance No. 97-07 and Ordinance No. 2016-4 and the adoption of updated rates by resolution will promote the public health, safety, and welfare of the Town of Eatonville.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE:

SECTION 1. Recitals. 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. Ordinance No. 97-07 and Ordinance No. 2016-4 are hereby repealed in their entirety.

SECTION 3. Adoption of Rates by Resolution. Future water and wastewater service rates, fees, and connection charges shall be established and may be adjusted by resolution of the Town Council in accordance with applicable laws and procedures.

SECTION 4. Non-codification. The provisions of this Ordinance shall not be included or incorporated within the Code of Ordinances of the Town of Eatonville.

SECTION 5. Conflicts. All Town ordinances or parts thereof in conflict herewith are, to the extent of such conflict, repealed.

SECTION 6. Severability. If any section, subsection, clause, or provision of this Ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this Ordinance.

SECTION 7. Effective Date. This Ordinance shall become effective upon its adoption.

Upon motion duly made and carried, the foregoing Ordinance was approved upon its first reading on November 5, 2024.

Upon motion duly made and carried, the foregoing Ordinance was approved upon its second reading on December 3, 2024.

TOWN OF EATONVILLE

Attest:

Angie Gardner, Mayor

Veronica King, Town Clerk

Approved as to form:

Clifford B. Shepard, Town Attorney



HISTORIC TOWN OF EATONVILLE, FLORIDA
TOWN COUNCIL MEETING
DECEMBER 3, 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 2024-40 Implementing Increased Water and Wastewater Service Rates (**Administration**)

TOWN COUNCIL ACTION:

PROCLAMATIONS, AWARDS, AND PRESENTATIONS		Department: ADMINISTRATION
PUBLIC HEARING 1 ST / 2 ND READING		Exhibits: • Resolution 2024-40 (Refer to Workshop Docs) • Resolution 2024-24 (Refer to Workshop Docs) • Resolution 2024-25 (Refer to Workshop Docs)
CONSENT AGENDA	YES	
COUNCIL DECISION		
ADMINISTRATIVE		

REQUEST: Respectfully requests approval of Resolution 2024-40 Implementing Increased Water and Wastewater Service Rates

SUMMARY: The Town Council engaged the Florida Rural Water Association to conduct a comprehensive utility rate study to evaluate the Town’s current water and wastewater service rates. The rate study concluded that the existing rate structure requires updating to reflect increases in operational costs, ensure appropriate levels of service, and provide adequate funding for necessary capital improvements.

On September 3, 2024, the Town Council adopted Resolution No. 2024-4 and Resolution No. 2024-25, which updated the Town’s Asset Management and Fiscal Sustainability Plan (the “Asset Management Plan”) to include the Water System Improvements and Wastewater Utility System Improvements recommended by the Florida Rural Water Association.

The Town Council has since adopted Ordinance No. 2024-10, repealing a prior ordinance that established utility service rates and authorizing the Council to set updated rates by resolution. the Town Council finds that adopting the updated rates will help the Town continue to provide safe, reliable, and high-quality water and wastewater services to its residents and businesses.

RECOMMENDATION: The Administration is recommending the Town Council approve Approval of Resolution 2024-40 Implementing Increased Water and Wastewater Service Rates.

FISCAL & EFFICIENCY DATA: N/A

RESOLUTION NO. 2024-40

A RESOLUTION OF THE TOWN OF EATONVILLE, FLORIDA, IMPLEMENTING INCREASED WATER AND WASTEWATER SERVICE RATES; PROVIDING FOR ANNUAL REVIEW AND ADJUSTMENT PROCEDURES FOR MODIFYING WATER AND WASTEWATER SERVICE RATES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town Council engaged the Florida Rural Water Association to conduct a comprehensive utility rate study to evaluate the Town’s current water and wastewater service rates; and

WHEREAS, the rate study concluded that the existing rate structure requires updating to reflect increases in operational costs, ensure appropriate levels of service, and provide adequate funding for necessary capital improvements; and

WHEREAS, on September 3, 2024, the Town Council adopted Resolution No. 2024-24 and Resolution No. 2024-25, which updated the Town’s Asset Management and Fiscal Sustainability Plan (the “Asset Management Plan”) to include the Water System Improvements and Wastewater Utility System Improvements recommended by the Florida Rural Water Association; and

WHEREAS, the Town Council has since adopted Ordinance No. 2024-10, repealing a prior ordinance that established utility service rates and authorizing the Council to set updated rates by resolution; and

WHEREAS, the Town Council finds that adopting the updated rates will help the Town continue to provide safe, reliable, and high-quality water and wastewater services to its residents and businesses.

NOW, THEREFORE, be it resolved by the Town Council of the Town of Eatonville, Florida, as follows:

SECTION 1. Legislative Findings. The findings set forth in the recitals above are adopted and fully incorporated herein as legislative findings of the Town Council.

SECTION 2. Adoption of Updated Utility Rates. The Town’s updated water and wastewater services rates, attached hereto as **Exhibit “A”** and incorporated herein, are hereby adopted.

SECTION 3. Annual Review. The Town Council shall conduct an annual review of the water and wastewater service rates to ensure that the Town’s utility system is financially self-sustaining.

SECTION 4. CPI Adjustment. The Town Council is authorized to adjust, by resolution, the water and wastewater service rates to reflect changes in the Consumer Price Index (CPI) for

All Urban Consumers (CPI-U), as published by the U.S. Department of Labor, Bureau of Labor Statistics, or any successor index. Any adjustment shall not exceed the percentage change in the CPI-U for the preceding calendar year.

SECTION 5. Conflicts. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, repealed. Specifically, any rates, fees, or charges previously established, including those within the Water and/or Wastewater Asset Management Plans, that conflict with the rates set forth in this Resolution are hereby repealed to the extent of such conflict.

SECTION 6. Severability. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Resolution and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION 7. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 3rd day of December 2024.

Attest:

Angie Gardner, Mayor

Veronica King, Town Clerk

Approved as to form:

Clifford B. Shepard, Town Attorney

EXHIBIT A
Town Of Eatonville
Utility Services Rates

1. Utility Service Rate Schedule.

1.1. The utility service rate schedule for the Town of Eatonville shall be as follows:

Utility Service Rate Schedule					
	Fiscal Year				
	24-25	25-26	26-27	27-28	28-29
Drinking Water					
01 Residential					
Base Charges Inside City					
5/8-inch	\$15.84	\$16.63	\$17.46	\$17.64	\$17.81
Usage Charges Inside City					
0 to 1,000 gallons	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1,001 to 5,000 gallons	\$3.08	\$3.23	\$3.39	\$3.43	\$3.46
5,001 to 10,000 gallons	\$5.23	\$5.49	\$5.77	\$5.82	\$5.88
10,001 gallons or more	\$8.89	\$9.33	\$9.80	\$9.90	\$9.99
04 & 99 Commercial					
Base Charges Inside City					
5/8-inch	\$26.48	\$27.80	\$29.19	\$29.49	\$29.78
Usage Charges Inside City					
0 to 1,000 gallons	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1,001 to 5,000 gallons	\$3.44	\$3.61	\$3.79	\$3.83	\$3.87
5,001 to 10,000 gallons	\$4.96	\$5.21	\$5.47	\$5.52	\$5.58
10,001 gallons or more	\$8.42	\$8.84	\$9.28	\$9.37	\$9.47
Wastewater					
01 Residential					
Base Charges Inside City					
5/8-inch	\$26.06	\$27.37	\$28.73	\$30.17	\$30.77
Usage Charges Inside City					
0 to 1,000 gallons	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1,001 to 5,000 gallons	\$3.24	\$3.40	\$3.57	\$3.75	\$3.83
5,001 to 10,000 gallons	\$5.51	\$5.78	\$6.07	\$6.37	\$6.50
10,001 gallons or more	\$9.35	\$9.82	\$10.31	\$10.83	\$11.04
04 & 99 Commercial					
Base Charges Inside City					
5/8-inch	\$49.08	\$51.53	\$54.11	\$56.81	\$57.95

Usage Charges Inside City					
0 to 1,000 gallons	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1,001 to 5,000 gallons	\$4.87	\$5.11	\$5.37	\$5.64	\$5.75
5,001 to 10,000 gallons	\$8.27	\$8.69	\$9.12	\$9.58	\$9.77
10,001 gallons or more	\$14.07	\$14.78	\$15.52	\$16.29	\$16.62
S02 Sewer Only					
Base Charges Inside City					
5/8-inch	\$39.26	\$41.23	\$43.29	\$45.45	\$46.36
Customers having a Master Meter will be charged based on the same rates as customers inside and outside the town limits, as applicable for each unit/apartment/home/lot serviced by the master meter for both Water and Sewer. The entity responsible for the Master Meter shall be responsible for payment of the monthly bill and required deposits.					