



AGENDA

City Commission Meeting

6:00 PM – Thursday, October 17, 2024 – City Hall

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: COMMISSIONER CHRISTINE CRUZ

CALL TO ORDER

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

2.1 Approval of Minutes

September 5, 2024 City Commission Meeting
September 19, 2024 City Commission Meeting

3. PRESENTATIONS

3.1 Organizational and Event Support Grant to Trout Lake Nature Center

4. AUDIENCE TO BE HEARD

5. CONSENT AGENDA

5.1 Resolution Number 24-86: Panasonic Toughbook Computer Lease for Police and Fire Departments

5.2 Resolution Number 24-87: Approval of Purchase in Excess of \$50,000 for GovWell Software and Support

5.3 Resolution Number 24-88: Accepting a Lift Station Easement Within Johnson's Point Townhomes Subdivision

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 Resolution Number 24-80: Utility Easement Harbor Island Villas

6.2 Explanation of Ordinances for Annexation of Parcel with Alternate Key Number 1443270:

Ordinance Number 24-35: Voluntary Annexation

Ordinance Number 24-36: Comprehensive Plan Amendment

Ordinance Number 24-37: Design District Assignment

FIRST READING

Ordinance Number 24-35: Voluntary Annexation of Parcel located at 2505 E. Orange Avenue with Alternate Key Number 1443270

6.3 FIRST READING

Ordinance Number 24-36: FLUM for Parcel located at 2505 E. Orange Avenue with Alternate Key Number 1443270

6.4 FIRST READING

Ordinance Number 24-37: Design District Designation for Parcel located at 2505 E. Orange Avenue with Alternate Key Number 1443270

7. OTHER BUSINESS

7.1 Discussion on Reconsideration of Resolution Number 24-41: Approving a Site Plan with Waivers for a Self-Storage Facility at David Walker Drive and Huffstetler Drive (Alternate Key Number 3853069)

7.2 Discussion of CRA Priorities

7.3 Follow-Up Discussion On Eustis Housing Authority Community Building

7.4 Purchasing Threshold Discussion

7.5 City Manager's Annual Evaluation

8. FUTURE AGENDA ITEMS AND COMMENTS

8.1 City Commission

8.2 City Manager

8.3 City Attorney

8.4 Mayor

9. ADJOURNMENT

This Agenda is provided to the Commission only as a guide, and in no way limits their consideration to the items contained hereon. The Commission has the sole right to determine those items they will discuss, consider, act upon, or fail to act upon. Changes or amendments to this Agenda may occur at any time prior to, or during the scheduled meeting. It is recommended that if you have an interest in the meeting, you make every attempt to attend the meeting. This Agenda is provided only as a courtesy, and such provision in no way infers or conveys that the Agenda appearing here is, or will be the Agenda considered at the meeting.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she 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 (Florida Statutes, 286.0105). In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the City Clerk 48 hours prior to any meeting so arrangements can be made. Telephone (352) 483-5430 for assistance.



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: October 17, 2024

RE: Approval of Minutes

September 5, 2024 City Commission Meeting

September 19, 2024 City Commission Meeting

Introduction:

This item is for consideration of the minutes of the Eustis City Commission.

Recommended Action:

Approval of the minutes as submitted.

Prepared By:

Mary C. Montez, Deputy City Clerk

Reviewed By:

Christine Halloran, City Clerk



MINUTES

City Commission Meeting

6:00 PM – Thursday, September 05, 2024 – City Hall

INVOCATION: PASTOR THEO BOB, Bethel United Methodist Church

PLEDGE OF ALLEGIANCE: COMMISSIONER GARY ASHCRAFT

CALL TO ORDER: 6:02 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Gary Ashcraft, Commissioner Willie Hawkins, Vice Mayor Emily Lee and Mayor Michael Holland

1. AGENDA UPDATE: None

2. APPROVAL OF MINUTES

July 10, 2024 City Commission Budget Workshop

August 1, 2024 City Commission Meeting

August 12, 2024 City Commission Special Meeting

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft. Motion passed by the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

3. PRESENTATIONS

3.1 Presentation from Horace Jones with the Eustis Housing Authority

Horace Jones, Eustis Housing Authority Executive Director, gave a presentation on the Eustis Housing Authority Community Center project and the Choice Neighborhood program.

Mr. Jones provided background information on the EHA Community Center project. He explained they will be doing the project in phases. He stated that Phase I is underway and includes a laundry facility. He then reviewed the overall floor plan and what will be included in the center. He reviewed the budget for the project totaling \$1,210,380 including other contracted services totaling \$106,140. He indicated they applied for a CDBG grant through Lake County and were awarded \$214,000 and they also have \$86,000 from the Housing Authority. He stated that Phase I totals \$372,000 of which they have \$300,000.

Mr. Jones then reviewed the budget for Phase II which includes the community center and executive offices. He stated he would be submitting another CDBG application to Lake County in the amount of \$300,000. He stated they are asking for funding from the CRA to be paid \$175,000 in FY24-25 and \$175,000 in FY25-26. He summarized funding for the entire project to be \$346,380 from EHA, \$350,000 from the City of Eustis and \$514,000 from CDBG grants for a total of \$1,210,380.

The Commission asked about the planned use of the facility and any charges to the public with Mr. Jones responding there would be no fees initially. He added there would be charges to hold events such as wedding receptions in the community center.

The Commission asked about the purpose of the Community Center with Mr. Jones responding the primary use would be for EHA meetings and other public meetings.

The Commission asked how many residents reside in the complex with Mr. Jones responding public housing has 60 units and the rural development apartment complex has 56 units.

Mayor Holland asked Mr. Carrino about the status of CRA funds.

Tom Carrino, City Manager, indicated that the CRA funds are healthy with the FY24-25 budget having approximately \$300,000 revenue over expenses; however, there are a number of priorities to be considered for CRA. He stated that Vice Mayor Lee is working on a educational facility and the Commission will be hearing a presentation from the KTE Foundation which is also in the CRA. He stated that the Commission could fund this request; however, there are a number of competing priorities. He explained that there are three questions to determine if a project may be legally funded by the CRA. Those questions are as follows: 1) Is it located within the CRA district; 2) Is it in the CRA plan; and 3) Is it in the budget. He indicated the proposal meets the first two questions; however, if the budget is approved that night, then it will require a budget amendment to approval the proposal plus the City would have to notify the other funding entities.

The Commission asked why they did not bring the proposal to the Commission sooner so they could incorporate it into the budget.

Mr. Jones responded that he was waiting to insure the receipt of the CDBG funding since that is the primary funding source.

Commissioner Hawkins asked what level of funding for CRA projects the City is comfortable with.

Mr. Carrino responded CRA funding varies by project. When the Commission created the residential rehab program, they funded that at \$250,000. The draft budget includes an additional \$41,000 to be added to the \$59,000 remaining from the original \$250,000. The total for the program will wind up at \$290,000. The CRA is providing funding towards the seawall and has \$400,000 budgeted for a basketball shade structure although that may not be accomplished. He concluded stating that the CRA projects vary widely in funding.

Commissioner Hawkins asked about the Phase 2 EHA funding with Mr. Jones indicating that the \$346,000 is the total EHA funding for the entire project.

Mayor Holland indicated they could not make a decision that night and asked for a consensus to have the proposal brought back to a future meeting so they could consider all the CRA funding priorities.

CONSENSUS: It was a consensus of the Commission to have the proposal brought back to the second meeting in October.

Mr. Jones reviewed the Choice Neighborhood Planning Grant and explained the purpose is to assist communities in developing a comprehensive Neighborhood Transformation Plan and building support necessary for the plan to be successfully implemented. He indicated the maximum grant is \$500,000 with the term of the grant being 30 months. He reviewed the eligible and ineligible activities and costs. He commented on recommended early action activities and cited the Florida housing authorities that received 2024 grants. He reviewed a list of key partners and cited issues discussed at the March 20, 2022, CRA public input meeting which could be covered by the grant.

Mr. Jones noted the Housing Authority pays the City an average of \$15,000 to \$20,000 a year as a payment in lieu of taxes. He asked the Commission to waive that payment for the current year so they can pursue some of the early action activities.

Commissioner Hawkins disclosed that he had already discussed the grant with Mr. Jones. He expressed support for waiving the payment.

Mr. Carrino indicated the CRA has a positive revenue over expenses and would still be positive if the payment is waived.

Mr. Jones further explained the grant stating that it would not just be a Housing Authority grant but would have to be a joint project by a number of key partners. He indicated the grant application is due in April 2025. He noted that he has reached out to other entities who have already received the grant. He confirmed that most of the funds would be utilized for consultant fees.

Mr. Carrino asked if he had any idea what the cost would be for the early action activities with Mr. Jones indicating that it is too early to tell for sure. He noted that the grant would not be received for two years. He stated he is only asking for the waiver of one year of payment. He noted that, at that time, he has not received any confirmation of funding from other entities.

Mayor Holland indicated he was not opposed to the request; however, he needs to know more about it before he could vote for it.

Commissioner Hawkins recommended that Mr. Jones meet with the other Commissioners individually to provide a bigger picture of what the purpose of the grant will be.

Further discussion was held regarding the purpose of the grant and what it would accomplish.

The Commission directed Mr. Jones to either reach out to the Commissioners individually to schedule meetings or to contact the City Manager's office who could assist in scheduling those meetings.

3.2 Presentation from KTE Foundation

Commissioner Hawkins reported on his discussion over the summer with KTE and the holding of a basketball camp.

Loretta Taylor Evans, Executive Director of KTE Foundation, addressed the Commission regarding the Foundation, its programs and activities, and how they would like to collaborate with the City. She provided an overview of the Foundation's background. She indicated the Foundation was founded by Keion Ellis, a Eustis native and NBA player with the Sacramento Kings. She stated the Foundation has a decade-long history of collaborating with local organizations to host youth programs, including basketball camps and school support activities. She explained they are proposing to coordinate with the City of Eustis to construct a fitness and education complex for the Eustis community. She reviewed the issues they have seen within the community that supports the creation of the new building. She then reviewed the proposed building features including multi-purpose rooms for meetings, workshops and education programs, technology lab and recreational space designed for team-building and athletic programs.

Ms. Taylor Evans cited the benefits to the community as follows: 1) Enhanced accessibility for all community members; 2) Safe environment for youth and families; and 3) Economic impact by creation of jobs, providing resources and stimulating the local economy.

Commissioner Hawkins asked her about one particular youth who participated in the basketball camp and she provide a brief anecdote about the young man and cited the wide variety of youth that participated for a number of area communities.

Ms. Taylor Evans briefly discussed funding for the project and stated they were inviting partners and supporters to contribute to the success of the project.

Commissioner Hawkins asked if the NBA would be involved with Ms. Evans responding that Keon Ellis would have to discuss those options with the NBA.

Mayor Holland thanked Ms. Taylor Evans for the presentation and asked her to thank Keon Ellis for his participation in the basketball camp and at the backpack giveaway.

4. AUDIENCE TO BE HEARD

Steven Moulden, new board member with Bay Street Players, thanked the Commission for their involvement and support of the local theater. He encouraged the community to support the theater.

5. CONSENT AGENDA

5.1 Resolution Number 24-69: Approving A Purchase in Excess of \$50,000 for a Public Utilities Replacement Vehicle

5.2 Resolution Number 24-71: Approving a Purchase in Excess of \$50,000 for Wastewater Process Tank Sediment Removal and Disposal

5.3 Resolution Number 24-72: Approving a Purchase in Excess of \$50,000 for the Water Department Crom Tank Renovation and Authorizing a Budget Transfer in the Amount of \$67,000

5.4 Resolution Number 24-73: 2024 PBA Contract - Approval of Modification to PBA Collective Bargaining Agreement

5.5 Resolution Number 24-74: PBA Memorandum of Agreement

Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee, to approve the Consent Agenda. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 Resolution Number 24-64: Tentative millage rate for the Fiscal Year 2024/25

Sasha Garcia, City Attorney, announced Resolution Number 24-64: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the tentative millage levy of ad valorem taxes for the City of Eustis, Lake County, for the Fiscal Year 2024/25, providing for an effective date.

Attorney Garcia announced that the City of Eustis hereby proposes a tentative millage rate of 7.5810. The tentative millage rate reflects a 7.78% increase from the roll-back rate of 7.034 mils. The reason for the increase is that the tentative millage rate is higher than the roll-back rate of 7.034 in order to cover increased costs in operation.

Lori Carr, Finance Director, introduced the new Deputy Finance Director Mari Leisen and Mike Sheppard, former Finance Director. She reviewed the TRIM advertising and certification to the

Lake County Property Appraiser and the remaining budget steps. She cited the significant budget changes that occurred since the July workshops.

The Commission asked about the number of budget changes pertaining to Parks and Recreation.

Ms. Carr explained that approximately \$525,000 of Parks and Recreation projects were moved up and completed in the current budget from Fund Balance so those were removed from the draft budget.

Ms. Carr reviewed the changes in health insurance, salaries, and meeting the minimum wage mandate for 2026 broken down by fund. She noted the \$1,000 flat pay increase for all eligible full-time employees with a cost of \$172,000 in the General Fund and \$227,000 citywide.

Ms. Carr then reviewed the estimated revenues as follows: State Revenue Sharing \$1,230,107; Half-Cent Sales Tax \$1,661,701; Local Discretionary Sales Surtax \$2,848,037; and Communication Tax \$644,272. She stated the general liability/work comp/property insurance cost increased by 9.2% for an increased cost of \$124,875. She noted the fire pension rate decreased from 34.7% to 32.2% for a decrease of 2.5% and a total increase of \$124,950. She indicated the police pension rate increased from 48.25% to 48.51% for an increase of 0.26% and a total increase of \$158,451.

Ms. Carr reviewed the various fund balances and stated that all of the funds are looking good and meeting the City Reserves policy of 25% or three months worth of operating cost. She stated the total Fund Balance will be \$119,000,000 with a total budget of \$69 million. She provided a breakdown of the proposed revenues and expenditures. She stated the budget is based on the tentative millage rate of 7.5810 and indicated this is the ninth year it has not changed. She explained why it has to be advertised as a tax increase due to the increase in property taxes due to increased values.

Ms. Carr then reviewed the functional millage rate and stated the City is the second lowest in comparison to the surrounding cities.

Tom Carrino, City Manager, explained how the functional millage rate is determined and noted how other area cities are transferring more from their utility funds to pay for municipal services and how they also charge a fire assessment fee which Eustis does not have.

Ms. Carr reviewed the adjusted taxable value over the past ten years noting how the City's property values have increased.

Attorney Garcia opened the public hearing at 7:06 p.m. There being no public comment, the hearing was closed at 7:06 p.m.

Motion made by Commissioner Hawkins, Seconded by Commissioner Ashcraft, to approve Resolution Number 24-64 adopting the tentative millage rate of 7.5810 mils. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.2 Resolution Number 24-65: Adopting a Tentative Budget for the Fiscal Year 2024/25

Attorney Garcia announced Resolution Number 24-65: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the tentative budget for the Fiscal Year 2024/25, providing for an effective date.

Attorney Garcia opened the public hearing at 7:07 p.m. There being no public comment, the public hearing was closed.

Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee, to approve Resolution Number 24-65 approving the draft budget for FY2024/25. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.3 Resolution Number 24-70: Approval of the Preliminary Subdivision Plan for a project known as Eustis SR19 at Powers Road

Attorney Garcia announced Resolution Number 24-70: A Resolution of the City Commission of the City of Eustis, Florida; approving a preliminary subdivision plat for the Eustis SR 19 subdivision with waiver for lot width dimension, a 275-lot single family residential subdivision, on approximately 51.87 acres of property located on the west side of State Road 19, north of the intersection with County Road 19A (1782414, 3846883, and 1094739).

Jeff Richardson, Deputy Director for Development Services, reviewed the requested preliminary subdivision plat with waivers for the Eustis SR-19 Residential Subdivision, a 275 Lot single-family residential subdivision on 51.87 acres. He reviewed the background of the project and provided a view of the preliminary plat. He indicated there are no environmental constraints on the site other than the wetland area which is not being developed. He cited an issue and explained the townhome lot type includes corner lots that are proposed with a 10 foot street setback and that should have been included as a waiver as well. He noted that the advertisements indicate waivers are requested but the waivers are not listed. He further explained that, if they elect to continue with the design with the 10' secondary street setback, it will require a waiver as part of the process.

Mr. Richardson reviewed the preliminary subdivision plat data and contrasted what is proposed with what is required under the code including gross area, net area, lot typology, lot count, density, open space, park space and landscape buffers. He explained they are requesting to have 34' wide townhouse lots versus the code maximum of 32'. He indicated the development is proposed to have 59 House lots and 216 Townhome lots for a net density of 5.7 dua or 5.3 gross dua. He stated the site has a future land use designation of Mixed Commercial Residential and General Commercial with a design district of Suburban Neighborhood. He explained that Section 102-15 states that if a property lies within multiple districts, the majority land use can dictate. He indicated the Mixed Commercial Residential is the majority of the site and those criteria were applied for the entire property.

Mr. Richardson explained the project is now at the preliminary subdivision plat stage with a waiver. He provided a summary of the review process and reviewed the Traffic Impact Analysis. He stated it indicates turn lanes on State Road 19 would be required. He reviewed the Environmental Assessment Report which did not indicate the presence of any sensitive native habitat or protected species. It did indicate a follow-up survey should be done prior to approval of the final engineering plans or any site development work to rule out the presence of gopher tortoises on site. He stated DRC has completed the technical review and it meets the minimum technical requirements; therefore, it is brought forward for consideration by the Commission.

Mr. Carrino confirmed that recommendation for approval is based on resolving the potential secondary waiver.

Mayor Holland indicated he would not vote on the request until the other waiver is resolved.

Mr. Richardson further explained the possible need for another waiver to address the 10 foot street setback and how it was missed.

The Commission asked whether a traffic signal would be included with Mr. Richardson responding the traffic analysis indicated turn lanes would be required but was not clear if a traffic signal would be warranted.

The Commission questioned the acreage and number of lots with Mr. Richardson stating they are proposing 275 lots on 51.87 acres.

Vice Mayor Lee asked what amenities are planned with Mr. Richardson responding they have a park, walking trails and a community center just south of the entry road.

Discussion was held regarding the land use designation with Mr. Carrino explaining that because the larger amount is the Mixed Commercial/Residential they can use that criteria for the entire project.

The Commission questioned if there is any actual commercial development planned with Mr. Richardson explaining that the two parcels on the north side are both still in General Commercial but are not included as part of the project. He indicated those parcels are owned by a separate entity; however, there is an agreement between the owners for the current project to provide stormwater retention for the other site.

David Fedak, Applicant/Owner, introduced Attorney Logan Upsall to provide a presentation on the project.

Mr. Upsall commented on the mixed zoning of the development and how the overarching future land use was applied. He noted the waiver to the maximum lot width from 32' to 34'. He asked the project engineer to discuss the requested waiver.

Victor Huggins, Landis Evans and Partners, explained they requested the increase in the lot width due to their units being 24' wide so in order to meet the 10' setback, they would need 34 feet. He further stated that to meet the 32' width, their maximum units would only be 12' wide due to the corresponding 20' setback required under the code. Therefore, they proposed to have one waiver to have a 44' wide lot to allow the 20' setback as required.

Attorney Garcia questioned whether that was what was presented with Mr. Richardson responding the lots are shown on the preliminary plat at 34'. He indicated they had not had discussion at DRC about using 44' lots. He stated there was discussion during DRC about potentially doing open space instead of a secondary side setback and then they would have internal five foot side setbacks. He stated they could look at the proposal and acknowledged that larger lots generally have a higher selling price. He indicated that has not been reviewed but he did not see a downside to that.

The Commission indicated they would not want to make a decision until they actually decide what they want to do. They then questioned what amenities are planned.

Mr. Upsall provided photographs of the planned amenity with a pool, clubhouse and cabana.

Commissioner Hawkins asked about a playground for the children with Mr. Upsall noting they do have excess open space.

Commissioner Ashcraft questioned why commercial uses were not incorporated into the development since it actually is Mixed Commercial Residential. He also asked about Powers Road and whether it would go through the development.

Mr. Upsall indicated there is an existing easement and stated they would be trying to redirect it back where it needs to be or providing an easement where it needs to be.

Vice Mayor Lee asked about space for a tot lot or playground with Mr. Upsall responding affirmatively.

Commissioner Hawkins commented on the size of the development. He expressed concern about the traffic, turn lanes and the density. He asked if notices had been sent to the neighbors.

Mr. Richardson stated the applicant did not opt for a community meeting but the City advertised and about 29 people were provided notice as being within the 500 feet. He stated he received approximately two emails regarding the development.

Mr. Upsall stated he was comfortable with tabling consideration or postponing to a date certain. He stated he was happy to make a formal request for continuance.

Attorney Garcia opened the public hearing at 7:31 p.m.

Chuck Powers stated his father, Hugh Powers, owns 50 acres behind the development. He cited two people in the audience who own the other 45 acres. He stated they are concerned about Powers Road and how they will access their property. He also expressed the need for a wall to keep people off of their property.

Kathleen Wigham, lives at corner of 19 and 19A, expressed concern regarding the traffic and the number of accidents that have already occurred. She further expressed concern regarding the amount of proposed townhomes.

Loretta Taylor Evans questioned what schools any children would attend and if there were any estimates regarding the number of children with Mayor Holland responding that there is a mandatory study that is done through Lake County Schools. She further expressed concern regarding the number of children that may be in the development.

Megan Campbell expressed concern regarding any impact on Lake Yale, the existing pollution to Lake Yale, damage to the roads by the construction trucks and who would be responsible for that.

Susan Fraser commented on the additional traffic impact on CR44 and CR452, particularly the intersection near the fairgrounds. She noted there was no notice placed on 19 only on Powers Road. She also expressed concern regarding the lack of sufficient ingress/egress for the development.

Mike Gambino reiterated the issue regarding the traffic on 452 to 44.

There being no further public comment, Attorney Garcia closed the public hearing at 7:39 p.m. She then recommended that the Commission table consideration of Resolution 24-70.

Vice Mayor Lee asked to clarify the possible need for an additional waiver. She also asked if a second traffic study would be done.

Mr. Richardson stated that a second environmental study would be needed prior to actual development to confirm that there were no gopher tortoises present. He indicated that a second traffic study was not planned; however, if the number of trips warrant it, then they may have to do a second study to determine if a traffic signal is warranted. He explained that the code requires a 20' street setback; however, staff missed that the preliminary plat shows a 10' street setback. He stated the applicant may have intended for that to be an additional waiver; however, it was not included as such.

Commissioner Hawkins asked how far the property is from Lake Yale with Mr. Richardson responding it is a distance from Lake Yale.

Mr. Carrino pulled up the Property Appraiser's website and stated that from the western edge of the wetland to the bank of Lake Yale is 4,278 feet.

Mayor Holland asked Attorney Garcia her recommendation with Ms. Garcia responding she recommends tabling consideration.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to table consideration of Resolution Number 24-70. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

RECESS: 7:43 p.m. RECONVENE: 7:49 P.M.

6.4 FIRST READING

Ordinance Numbers 24-26, 24-27, and 24-28: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS with ALTERNATE KEY 1734193.

Ordinance Number 24-26: Voluntary Annexation of property located at Alternate Key 1734193

Attorney Garcia read Ordinance Number 24-26 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 0.25 acres of real property at Alternate Key Number 1734193, end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine.

Mr. Richardson announced the item was previously presented and tabled in June 2024 after being transmitted to the Commission by the LPA. He noted the Commission had questions regarding, in particular, access. He stated the applicant, Eagle Homes Zach Huebner, has confirmed they will provide paved access to the property. He stated the application is for the annexation of .25 acres on the west of unimproved Blaine Street. He indicated the property is currently designated Urban Low in Lake County and reviewed the surrounding designations. He reviewed staff's evaluation of the request and indicated the requested future land use designation is for Suburban Residential with a design district designation of Suburban Neighborhood. He stated staff's recommendation for approval.

Attorney Garcia opened the public hearing at 7:55 p.m. There being no public comment, the hearing was closed at 7:55 p.m.

Motion made by Commissioner Ashcraft, Seconded by Commissioner Hawkins, to approve Ordinance Number 24-26 on first reading. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.5 FIRST READING

Ordinance Numbers 24-27: Design District Assignment for Parcel with Alternate Key 1734193

Attorney Garcia read Ordinance Number 24-27 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187 F.S.; changing the future land use designation of approximately 0.25 acres of real property at Alternate Key Number 1734193, end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine, from Urban Low in Lake County to Suburban Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 7:56 p.m. There being no public comment, the hearing was closed at 7:56 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft, to approve Ordinance Number 24-27 on first reading. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.6 FIRST READING

Ordinance Numbers 24-28: Design District Assignment for Parcel with Alternate Key 1734193

Attorney Garcia read Ordinance Number 24-28 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 0.25 acres of real property at Alternate Key Number 1734193, on end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine.

Attorney Garcia opened the public hearing at 7:56 p.m. There being no public comment, the hearing was closed at 7:57 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to approve Ordinance Number 24-28 on first reading. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.7 FIRST READING

Ordinance Number 24-31: Annual Update of the 5-year Capital Improvements Schedule of the Comprehensive Plan Fiscal Year 2025-29

Attorney Garcia read Ordinance Number 24-31 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving the annual update of the five-year Capital Improvement Schedule of the Comprehensive Plan under Florida Statutes 163.3177(3)5(b); providing for conflicting ordinances, severability, and effective date.

Lori Carr, Finance Director, reviewed the five year capital improvement plan. She explained what constitutes a capital improvement and the purpose of the capital improvement plan. She further explained how projects are evaluated and prioritized. She reviewed the significant projects included in the FY2025 - 2029 plan.

Mr. Carrino clarified the projects are five-year projects for the FY24-25 plan.

The Commission asked about the aquatic center renovation and future priorities. Discussion was held regarding possible plans to relocate the aquatic center. They asked about the funding for the seawall with Mr. Carrino indicating that construction money will be in place as of October 1st and the engineering was already completed.

The Commission asked about the unimproved roads with Mr. Carrino acknowledging that there are dirt roads that are not the City's responsibility but the project is for unimproved roads that the City is responsible for.

Ms. Carr reviewed the various funding sources for the capital improvement plan. She noted that the majority is funded through the Sales Tax Revenue Fund. She noted that will sunset in 2032 but will hopefully be renewed.

Mr. Carrino explained the City needs to begin that process that with its partners due to being unable to continue the five-year planning.

Ms. Carr commented on the delay for the Eastern Water Plant projects due to needing to determine what the City will do with the plant.

Ms. Carr reviewed the funding for the projects noting they are anticipating a 2.5% increase in the Water and Wastewater Funds for FY2024/25 and a 3% increase per year for FY2025/29 in all the other funds. She explained the five-year funding analysis. She indicated the year five large project is the public safety complex which will be based on the renewal of the sales tax.

Ms. Carr explained the funding analysis for street improvement and commented on how the General Fund helps underwrite that fund. She indicated the funding for street improvement would have to be evaluated in the future.

The Commission asked about the availability for grants for street improvement projects with Mr. Carrino indicating there are grants for other types of projects but not really for street improvement.

Mike Sheppard explained the Street Improvement Fund is mostly operational. He added that the City's Public Works Department stretches the funding more than other cities due to doing a lot of the work internally.

The Commission discussed the need to look at funding opportunities for future projects as soon as possible and identifying grant opportunities or applying for additional state appropriation funding. Mr. Sheppard indicated that one other source would be bonding.

Ms. Carr reviewed the CRA funding analysis stating that the fund balance is continuing to grow so there is some flexibility there. She then reviewed the Stormwater Fund noting that it will soon run a negative balance. She indicated there had been no increase in stormwater fees in several decades.

Ms. Carr reviewed the Water and Sewer Funds and cited a budgeting error in the carryover of approximately 7.5 million relating to the Bates Avenue Water Plant. She emphasized the money has not been spent so the budget will be adjusted accordingly. Mr. Sheppard commented on the utilization of the ARPA funds.

Ms. Carr reviewed the process and indicated second and final reading would be on September 19th. She stated the City would be continually monitoring and re-evaluating the CIP and cited the decision to be made on the Eastern water plant.

The Commission asked when a final decision would be made on the Eastern water plant with Mr. Carrino responding they are working to bring a consultant onboard which should cost approximately \$30,000. He explained the consultant would help the City evaluate the plant and the options. He noted that the process is completely different if they sell to a private entity versus a public entity. He stated the options would be coming back to the Commission.

Attorney Garcia opened the public hearing at 8:16 p.m. There being no public comment, the hearing was closed at 8:16 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Hawkins, to approve Ordinance Number 24-31 on first reading. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.8 FIRST READING

Ordinance Numbers 24-32, 24-33, AND 24-34: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS WITH ALTERNATE KEYS 1064309

Ordinance Number 24-32 – Voluntary Annexation of property located at Alternate Key 1064309

Attorney Garcia read Ordinance Number 24-32 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 0.19 acres of

real property at Alternate Key Number 1427118, on Coolidge Street and Suanee Avenue north side of Suanee Avenue.

Mr. Richardson reviewed the requested annexation with future land use and design district designations. He noted that the annexation would partially close an enclave. He reviewed the surrounding land use designations. The property is currently designated Urban Low in Lake County and the requested land use designation is Suburban Residential with a Suburban Neighborhood design district designation. He explained staff's evaluation of the request and confirmed the required notices and advertisements were done. He confirmed the site is not in the 100-year flood plain but it is within the Wekiva Study area. He stated staff's recommendation for approval of Ordinances 24-32, 24-33 and 24-34 and indicated that the request is consistent with the JPA and Florida statute requirements and is consistent with the surrounding properties.

Attorney Garcia opened the public hearing at 8:20 p.m. There being no public comment, the hearing was closed at 8:20 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to approve Ordinance Number 24-32 on first reading. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.9 FIRST READING

Ordinance Number 24-33: Comprehensive Plan Amendment for property at Alternate Key 1427118

Attorney Garcia read Ordinance Number 24-33 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187 F.S.; changing the future land use designation of approximately 0.19 acres of real property at Alternate Key Number 1427118, on Coolidge Street and Suanee Avenue, on north side of Suanee Avenue, from Urban Low in Lake County to Suburban Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 8:21 p.m. There being no public comment, the hearing was closed at 8:21 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to approve Ordinance Number 24-33 on first reading. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.10 FIRST READING

Ordinance Number 24-34: Design District Assignment for property located at Alternate Key 1427118

Attorney Garcia read Ordinance Number 24-34 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 0.19 acres of real property at Alternate Key Number 1427118, on Coolidge Street and Suanee Avenue, on north side of Suanee Avenue.

Attorney Garcia opened the public hearing at 8:22 p.m. There being no public comment, the hearing was closed at 8:22 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to approve Ordinance Number 24-34 on first reading. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

7. OTHER BUSINESS

7.1 Organizational and Event Support Grants Final Recommendations

Mike Sheppard, Finance Department, reviewed the organizational grants totaling 30K. He indicated that the proceeds from next year's Amazing Race will determine how much there will be to award then. He reported there were nine applications; however, one grant applicant did not provide proof of their 501c3 which is required. He explained the selection committee was comprised of the City Manager, Economic Development, Development Services, Finance Director and himself. He stated \$71,000 was requested and \$25,800 was awarded. He noted that \$6,500 was already issued to the Amazing Race to assist them with the close out and transfer to the City. He provided a list of what each applicant requested and how much the committee was recommending they be awarded.

Vice Mayor Lee noted the number of requests to provide food. She recommended that the organizations work together to do a better job of distributing food.

Mr. Sheppard noted a number of other duplications such as backpack and food giveaways that the City itself participates in with Mr. Carrino noting that part of the process is looking at duplication of services and that is taken into consideration.

Commissioner Hawkins expressed concern that with the City taking over the Amazing Race there will be less money to be distributed to the organizations. It was agreed that the grant funding and Amazing Race proceeds for next year would need to be discussed.

CONSENSUS: It was a consensus of the Commission for the grants to be awarded as recommended by the Committee.

8. FUTURE AGENDA ITEMS AND COMMENTS

8.1 City Commission

Commissioner Ashcraft commented on a complaint he received about the condition of the railroad. Commissioner Hawkins asked if the City could fine them through code enforcement for not maintaining the railway.

Mr. Carrino responded staff can try but they are federally regulated. He explained the railroad is owned by CSX who subleases to the local freight rail who subleases to the tourist train. He stated staff previously meet with the tourist train who indicated they follow federal regulations which provides them with huge power. He assured the Commission that he would attempt to communicate with the railroad to get them to do maintenance.

Discussion was held regarding whether or not there was sufficient space to have a trail next to the railway. Mr. Carrino noted that both Tavares and Mount Dora tried for years to work with them to obtain the railway to develop a trail and after a number of years the railroad backed out. It was noted that the tracks are obviously not being used because of how high the grass around the tracks has grown.

Vice Mayor Lee commented on her conference with America in Bloom and explained that in North Carolina the railroad partnered with them to develop a beautification area. She questioned if they could do something like that.

Mr. Carrino assured them he would contact the railroad and see what could be done.

Commissioner Ashcraft asked when the master plan would be presented with Mr. Carrino stating that the meetings with individual commissioners were just finished. He stated they need to schedule a public meeting to present the final draft and then it will be brought to the Commission for final approval. He confirmed Commissioner Hawkins would be comfortable with the public meeting being held while he is out of town. He indicated he would confirm a date with the other Commissioners but emphasized it would not be a Commission meeting and the Commissioners would not be engaging with the public or presenting at the meeting.

Commissioner Ashcraft questioned how the special meeting for selection of the interim commissioner would be run with Mayor Holland responding that an agenda will be sent out and each applicant will be allowed to give a presentation.

Commissioner Ashcraft complimented Public Works on all of their work downtown and how good it looks.

Commissioner Hawkins commented on the Police Department's use of seized funds and how that money is used to give back to the community. He stated the EPD does an outstanding job with its forfeiture funds. He cited a number of examples of how the department has used the funds. He explained the upcoming Panther Pride in the Park to be held October 19th and noted he would be asking the City to buy a table at the event.

Mayor Holland noted that the State of Florida just allowed high school athletes to be paid like college players and be paid to play so the high school has lost players.

Vice Mayor Lee reiterated the good work done by Public Works and noted the addition of bat houses and planters in downtown with more to come. She complimented Commissioner Hawkins on his work on Carla Mitchell's retirement celebration. She asked to have a CRA discussion regarding priorities and collaboration.

8.2 City Manager

Mr. Carrino reminded everyone about the special City Commission meeting to be held September 11th at 5:30 p.m. He indicated it is not a workshop as they will have to take action. He stated there will be a resolution to be voted on that evening. Assuming a selection is made, that individual will be sworn in and seated that evening. He noted there would be final hearings on the budget and millage on September 19th. He thanked staff and the Commission for all of the work on the budget.

8.3 City Attorney - None

8.4 Mayor

Vice Mayor Lee asked if there were any 9/11 events with Commissioner Hawkins and Mayor Holland responding there would be events at the middle school and at the Moose Lodge.

Mayor Holland thanked City staff for the great job they do representing the City. He congratulated Sam Brinson on the great job he's doing with Parks and Recreation. He encouraged everyone to keep an eye out for the various 9/11 events. He then noted the Eustis Chamber would be hosting a karaoke night on 9/15 at 6:p.m. to raise monies for the deputy that was lost and the two injured deputies. He encouraged everyone to attend both the 9/11 ceremonies and the fundraiser.

9. ADJOURNMENT: 8:43 P.M.

*These minutes reflect the actions taken and portions of the discussion during the meeting. To review the entire discussion concerning any agenda item, go to www.eustis.org and click on the video for the meeting in question. A DVD of the entire meeting or CD of the entire audio recording of the meeting can be obtained from the office of the City Clerk for a fee.

Item 2.1

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner



MINUTES

City Commission Meeting

6:00 PM – Thursday, September 19, 2024 – City Hall

Invocation: Moment of Silence

Pledge of Allegiance: Vice Mayor Emily Lee

Call to Order: 6:00 P.M.

Acknowledge of Quorum and Proper Notice

PRESENT: Vice Mayor Emily Lee, Commissioner Gary Ashcraft and Mayor Michael Holland

ABSENT: Commissioner Willie Hawkins

1. Agenda Update: None

2. Approval of Minutes

July 11, 2024 City Commission Budget Workshop

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft, to approve the Minutes. Motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Vice Mayor Lee, Mayor Holland

3. Swearing-In of Interim Commissioner for Seat #4

3.1 Swearing-in of Interim Commissioner for Seat #4 – Christine Cruz

Christine Halloran, City Clerk, administered the Oath of Office to Interim Commissioner Christine Cruz.

4. Presentations

4.1 Introduction of Eustis Heights Elementary School Principal, Dr. Juanita McCall, by Lake County Schools Superintendent, Diane Kornegay

Diane Kornegay, Lake County Schools Superintendent, introduced the new Eustis Heights Elementary School Principal, Dr. Juanita McCall. Ms. Kornegay also thanked the Commission for their involvement with the area schools.

Dr. McCall gave a brief review of her history as a Lake County native. She commented on upcoming plans for the school and cited some of their recent events.

4.2 Presentation of Duke Energy Grant Award

Tom Carrino, City Manager, thanked Duke Energy and highlighted some of their work with the City. He noted the City has applied for some EDA funds for a targeted market study.

Mayor Holland introduced Mark Hoenstein, Managing Director of Economic Development for Florida.

Mr. Hoenstein stated Duke Energy serves 1.9 million customers in 34 counties in Florida commented on Duke's commitment to economic development and how they help their communities to grow and thrive. He cited their economic development grant through the Duke Energy Foundation noting they annually award \$30 million in philanthropic support. He indicated those funds are provided by the shareholders not the customers. He explained how the program is operated and the focus of the program. He complimented Al Latimer, Economic Development Director, and his team.

Mr. Hoenstein presented the check to Al Latimer and grantwriter Nadine Mann.

4.3 Department Update: Code Enforcement

Eric Martin, Code Enforcement Supervisor, reported on Code Enforcement activities and revenue collected from 2014 to date. He reviewed their average statistics per year. He stated most of the complaints come from residential violations; however, they have been focusing on commercial violations. He cited several commercial cases including Family Dollar, CFS Auto Sales, Dollar General and RaceTrack. He noted they have begun generating a weekly update.

Mayor Holland thanked Mr. Martin and his staff for their work and how much better the City is looking. He noted that, while the City will take people's money, that is not what they want to do. What it wants is compliance.

Mr. Martin thanked the Commission for the addition of a new code enforcement inspector and commented on how much that will help. He also commented on how well the department operates under Chief Capri.

5. Audience to be Heard

Mr. Carrino announced there is an item under "Other Business" concerning the Grove at Pine Meadows. Public comment is not normally allowed for "other business" items; therefore, if anyone is there to speak on the Grove at Pine Meadows, they should come up under Audience to be Heard.

Wolanda Little explained she would like to get the books she has written into the library and/or the school system and would also like to read to the school children. She noted a number of her books are faith-based. She cited the possibility of establishing a book club at the schools.

Mayor Holland indicated the City would provide her with the School Superintendent's contact information and introduced her to City Library Director Ann Ivey.

Amanda Hall commented on the public meeting with the developer and stated they were not happy with comments made by the developers. She expressed concern regarding a number of intersections and the increase in population.

Heather Gross commented on damage to the roads from rain and traffic, and cited the increased number of kids in the schools.

Eric Geisler expressed concern regarding the number of houses proposed for Grove at Pine Meadows.

An unidentified student expressed concern regarding the affect on the wildlife and problems in the schools due to the increased student population.

Colin Cosden, property owner for the Grove at Pine Meadows, stated they have completed the required traffic study and school study. He cited his family's history in the community and stated that the proposed development is well within code. He expressed concern regarding the personal comments made at the community meeting.

Nick Burden reiterated they have completed all the required studies. He noted the comm meeting lasted three hours. He explained that to have more grocery stores or similar stores, there has to be more rooftops.

6. Consent Agenda

6.1 Resolution Number 24-75: Approving a Purchase in Excess of \$50,000 for a Public Utilities Crane Truck

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to approve the Consent Agenda. Motion passed on the following vote:

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft, Commissioner Cruz, Mayor Holland

7. Ordinances, Public Hearings, & Quasi Judicial Hearings

7.1 Resolution Number 24-66: Final Millage Rate for the Fiscal Year 2024/25

Sasha Garcia, City Attorney, stated there are two resolutions - Resolutions 24-66 and 24-67. She stated it is a public hearing to hear and consider the comments and questions concerning the City's final millage rate and final budget for the coming fiscal year of 2024-2025. The City of Eustis is proposing a final millage rate of 7.5810 which reflects a 7.78% increase from the rollback rate of 7.034 mils. The justification for the increase is that the millage rate is higher than the rollback rate of 7.034 in order to cover increased operating costs.

Sasha Garcia, City Attorney, read Resolution Number 24-66 by title: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the final millage levy of ad valorem taxes for the City of Eustis, Lake County, for the Fiscal Year 2024/25, providing for an effective date.

Commissioner Cruz asked if next year the City could work toward the rollback rate with Mike Sheppard, Finance Department, explaining the City's functional millage rate. He indicated that comparing the functional millage rate to the other cities ranks Eustis as the second lowest.

Tom Carrino, City Manager, stated staff is willing to work with the Commission to establish the priorities and determine what is important in order to see if they can get closer to the rollback.

Commissioner Cruz cited the impact on rental units, elderly and families by increased taxes. She indicated that providing more warning to the department heads about the need to reduce taxes would help to meet that goal.

Vice Mayor Lee commented on what may have to be cut or what personnel in order to achieve the rollback rate.

Mr. Sheppard cited all of the factors that would go into implementing the rollback rate.

Further discussion was held regarding what would need to occur to implement the rollback rate.

Attorney Garcia opened the public hearing at 6:46 p.m. There being no public comment, the hearing was closed at 6:46 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft, to approve Resolution Number 24-66 adopting the final millage rate of 7.5810. Motion passed on the following vote:

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft, Commissioner Cruz, Mayor Holland

Attorney Garcia read Resolution Number 24-67 by title: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the final budget for the Fiscal Year 2024/25, providing for an effective date.

Attorney Garcia opened the public hearing at 6:47 p.m. There being no public comment, the hearing was closed at 6:47 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft, to approve Resolution Number 24-67 adopting the final budget for FY2024-25. Motion passed on the following vote.

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft, Commissioner Cruz, Mayor Holland

7.3 SECOND READING

Explanation of Ordinances for Annexation of a Parcel with Alternate Key 1734193:

Ordinance Number 24-26 – Voluntary Annexation

Ordinance Number 24- 27 – Comprehensive Plan Amendment

Ordinance Number 24- 28 – Design District Assignment

Ordinance Number 24-26: Voluntary Annexation of a Parcel with Alternate Key 1734193

Attorney Garcia read Ordinance Number 24-26 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 0.25 acres of real property at Alternate Key Number 1734193, end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine.

Attorney Garcia opened the public hearing at 6:48 p.m. There being no public comment, the hearing was closed at 6:48 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to adopt Ordinance Number 24-26 on final reading. Motion passed on the following vote:

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft, Commissioner Cruz, Mayor Holland

7.4 SECOND READING

Ordinance Number 24-27: Comprehensive Plan Amendment - Assignment of Future Land Use of a Parcel with Alternate Key Number 1734193

Attorney Garcia read Ordinance Number 24-27 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187 F.S.; changing the future land use designation of approximately 0.25 acres of real property at Alternate Key Number 1734193, end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine, from Urban Low in Lake County to Suburban Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 6:49 p.m. There being no public comment, the hearing was closed at 6:49 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft, to adopt Ordinance Number 24-27 on final reading. Motion passed on the following vote:

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft, Commissioner Cruz, Mayor Holland

7.5 SECOND READING**Ordinance Number 24-28: Design District Assignment of a Parcel with Alternate Key 1734193**

Attorney Garcia read Ordinance Number 24-28 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 0.25 acres of real property at Alternate Key Number 1734193, on end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine.

Attorney Garcia opened the public hearing at 6:50 p.m. There being no public comment, the hearing was closed at 6:50 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to adopt Ordinance Number 24-28 on final reading. Motion passed on the following vote:

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft, Commissioner Cruz, Mayor Holland

7.6 SECOND READING**Ordinance Number 24-31: Annual Update of the 5-year Capital Improvements Schedule of the Comprehensive Plan Fiscal Year 2025-29**

Attorney Garcia read Ordinance Number 24-31 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving the annual update of the Five-Year Capital Improvement Schedule of the Comprehensive Plan under Florida Statutes 163.3177(3)5(b); providing for conflicting ordinances, severability, and effective date.

Attorney Garcia opened the public hearing at 6:51 p.m. There being no public comment, the hearing was closed at 6:51 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft, to adopt Ordinance Number 24-31 on final reading. Motion passed on the following vote:

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft, Commissioner Cruz, Mayor Holland

7.7 SECOND READING

Explanation of Ordinances for Annexation of Parcel with Alternate Key 1064309:

Ordinance Number 24-32 – Voluntary Annexation

Ordinance Number 24-33 – Comprehensive Plan Amendment

Ordinance Number 24-34 – Design District Assignment

Ordinance Number 24-32: Voluntary Annexation Parcel with Alternate Key 1064309

Attorney Garcia read Ordinance Number 24-32 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 0.19 acres of real property at Alternate Key Number 1427118, on Coolidge Street and Suanee Avenue, on north side of Suanee Avenue.

Attorney Garcia opened the public hearing at 6:52 p.m. There being no public comment, the hearing was closed at 6:52 p.m.

Motion made by Commissioner Ashcraft, Seconded by Commissioner Cruz, to adopt Ordinance Number 24-32 on final reading. Motion passed on the following vote:

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft, Commissioner Cruz, Mayor Holland

7.8 SECOND READING

Ordinance Number 24-33: Comprehensive Plan Amendment - Assignment of Future Land Use for Annexation of Parcel with Alternate Key 1064309

Attorney Garcia read Ordinance Number 24-33 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187 F.S.; changing the future land use designation of approximately 0.19 acres of real property at Alternate Key Number 1427118, on Coolidge Street and Suanee Avenue, on north side of Suanee Avenue from Urban Low in Lake County to Suburban Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 6:53 p.m. There being no public comment, the hearing was closed at 6:53 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to adopt Ordinance Number 24-33 on final reading. Motion passed on the following vote:

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft, Commissioner Cruz, Mayor Holland

7.9 SECOND READING

Ordinance Number 24-34: Assignment of Design District for Parcel with Alternate Key Number 1064309

Attorney Garcia read Ordinance Number 24-34 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 0.19 acres of real property at Alternate Key Number 1427118, on Coolidge Street and Suanee Avenue, on north side of Suanee Avenue.

Attorney Garcia opened the public hearing at 6:54 p.m. There being no public comment, the hearing was closed at 6:54 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft, to adopt Ordinance Number 24-34 on final reading. Motion passed on the following vote:

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft, Commissioner Cruz, Mayor Holland

7.10 FIRST READING

Ordinance Number 24-38: Conditional Use Permit for an Accessory Dwelling Unit at 514 East Washington Avenue

Attorney Garcia read Ordinance Number 24-38 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving a Conditional Use Permit for an accessory dwelling unit to an existing single-family residence in the Suburban Residential (SR) future land use district on approximately 0.2 acres located at 514 East Washington Avenue.

Kyle Wilkes, Senior Planner, reviewed the requested conditional use permit application. He noted that the property is located within the Washington Avenue Historic District which required the applicant to obtain a Certificate of Appropriateness from the Historic Preservation

Board. The COA was approved on 7/10/2024. He explained the request is to convert a detached garage to an accessory dwelling unit, including modification of the windows and addition of a kitchenette and bathroom. He reviewed the history of the property regarding a code enforcement violation and the Certificate of Appropriateness. He indicated the future land use is Suburban Residential and the design district is Urban Neighborhood. He presented photographs of the site. He stated that Section 109-4 of the City's land development regulations does allow for an accessory apartment as a conditional use within the SR district. He explained that one accessory unit is allowed per lot either within the primary structure or as a freestanding structure; however, it must be located so as not to interfere with the appearance of the principal structure. He reviewed the parking requirements for such accessory dwellings and presented the proposed site plan provided by the applicant. He reviewed staff's analysis of the request and criteria for that review. He confirmed the required advertising and notices were completed and expressed staff's recommendation for approval.

The Commission confirmed that no public concerns were received and asked if the Historic Preservation Board had any conditions on the approval.

Jeff Richardson, Deputy Development Services Director, stated that the HPB did require that the windows must match the period and style of the house. He explained that was a condition for getting the COA, not a condition for receiving the conditional use.

Attorney Garcia opened the public hearing at 7:03 p.m. There being no public comment, the hearing was closed at 7:03 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, approve Ordinance Number 24-38 on first reading. Motion passed on the following vote:

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft, Commissioner Cruz, Mayor Holland

8. Other Business

8.1 Discussion on Reconsideration of Resolution Number 24-57: Preliminary Subdivision Plat Approval for the Grove at Pine Meadows

Mr. Carrino provided a brief history of the previous denial of Resolution Number 24-57. He noted one of the issues discussed at that time was whether or not the developer had held a community meeting. He stated that the Commission's Rules of Order require an applicant to wait nine months before bringing back something substantially similar unless voted on by a majority of the Commission to rehear the resolution. He reported that the Rules of Order allows for the applicant to request a rehearing. He stated the discussion is not on the technical merits of the application but on whether or not the Commission is willing to allow another public hearing.

Attorney Garcia commented on the Request for Relief and indicated they did hold a community meeting to hear the concerns of the residents.

Mr. Carrino emphasized that they need to make their decision based on the merits of the case, not on the technical merits of the application. He thanked the Commissioners for not attending the community meeting.

Mayor Holland expressed support for rehearing the application and explained he wants to hear what the developer learned from the community meeting.

Vice Mayor Lee agreed stating she wants to see if they make any changes based on the community meeting.

Commissioner Ashcraft stated that had he been on the Commission at that time, he would have voted for annexing the property as it doesn't make sense.

Commissioner Cruz stated she would like to hear from the developer what changes they may have made based on the community meeting.

Discussion was held regarding when to schedule the next public hearing with Mr. Carrino stating that the soonest it could be presented is October 17th; however, that may not occur either due to the possibility of it needing to go back to the Development Review Committee. He recommended not setting a date certain at this time. He noted that any advertisement may be based on any changes they have made.

CONSENSUS: It was a consensus of the Commission to allow the rehearing of Resolution Number 24-57.

Attorney Garcia confirmed she would reach out to the developer's attorney and that the soonest it could be heard is the October 17th meeting with Mr. Carrino clarifying if it does not need additional review by the Development Review Committee.

9. Future Agenda Items and Comments

9.1 City Commission

Commissioner Ashcraft welcomed Interim Commissioner Cruz and thanked Sam Brinson, Parks and Recreation Director, for his assistance with a student who he found walking home from the middle school in the rain, offered him shelter in the Parks and Recreation building and wound up signing him up for the after school program. He stated that's the type of thing that makes him proud to be on the Commission.

Vice Mayor Lee reported she had attended the Senior breakfast and thanked Parks and Recreation for continuing the program.

Commissioner Cruz reported on a meeting she had with Students Against Tobacco. She indicated they informed her that the Lake County Sheriff now has a vape sniffing dog. She commented on the possibility of them getting an additional dog and the City partnering with the Sheriff. She expressed the possibility of the City instituting a "no smoking" policy in all the City playgrounds. She announced National Clean Up Day would be recognized on September 20th and throughout the weekend and encouraged everyone to participate. She announced that Tedex Eustis has started selling tickets and it will be held out at Camp Boggy Creek.

Vice Mayor Lee commented on the following events: 1) Eustis Heights Elementary with Chief Swanson; and 2) Jungle Feast at Trout Lake Nature Center. She wished Mayor Holland a happy birthday. She thanked the Police Department for the 9/11 observance.

9.2 City Manager

Mr. Carrino announced they need to schedule the community meeting for presentation of the draft master plan. He indicated that Commissioner Hawkins would not be back until October 16th; however, Commissioner Hawkins had stated they could proceed without him so as not to hold up the process. He noted that the intent of the meeting would not be for Commission participation but for them to hear the public's comments.

CONSENSUS: It was a consensus to try to tentatively hold it on Tuesday, October 15th.

Mr. Carrino noted that Lake County is a partner with the City for the UCF incubator. He indicated there is a part of the agreement for UCF to provide a presentation to the County Commission. The City and UCF would be presenting to the County Commission on Tuesday,

September 24th. He indicated his participation would be limited to thanking the County Commission and introducing the UCF representatives.

Mr. Carrino thanked the Commission for all of their participation in the budget process and all of the staff members for their work on the budget.

9.3 City Attorney: None

9.4 Mayor

Marie Aliberti, Eustis Chamber of Commerce executive director, reported on their fundraiser for the sheriff's charities. She noted a challenge which netted \$2,200 for Chief Capri and Commissioner Hawkins to sing a duet. She stated they raised over \$10,000 through the community's effort to benefit the two injured deputies.

Mayor Holland thanked the Chamber for the fundraising event. He commented on the TLNC Jungle Feast and the Police Department's 9/11 observance. He asked that Police and Fire work together to plan an event next year in Ferran Park to both remember and celebrate those involved. He cited the Eustis Heights event. He asked that Al Latimer and Marie Aliberti work together to hold an economic summit. He expressed concern regarding the local restaurants and noted it is happening around the country due to the national economy. He commented on the need to determine how best to assist the local small businesses.

Mayor Holland thanked staff and residents for their efforts on behalf of the City.

10. Adjournment: 7:32 P.M.

**These minutes reflect the actions taken and portions of the discussion during the meeting. To review the entire discussion concerning any agenda item, go to www.eustis.org and click on the video for the meeting in question. A DVD of the entire meeting or CD of the entire audio recording of the meeting can be obtained from the office of the City Clerk for a fee.*

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION
FROM: TOM CARRINO, CITY MANAGER
DATE: OCTOBER 17, 2024
RE: ORGANIZATIONAL AND EVENT SUPPORT GRANT TO TROUT LAKE
NATURE CENTER

Introduction

The purpose of this presentation is to allow Trout Lake Nature Center to be recognized for their service to the City of Eustis and award a grant in the amount of \$4,250.

Recommended Action

Payment of September 5, 2024, grant award in the amount of \$4,250 to Trout Lake Nature Center. The committee comprised of Tom Carrino, Lori Carr, Mike Lane, Al Latimer and Mike Sheppard reviewed the grant application and determined that they met all requirements to receive the grant. The recommendation was submitted to the Eustis City Commission on September 5, 2024, along with submittals received.

Background

The City Commission approved Organizational and Event Grants, including \$4,250 for Trout Lake Nature Center on September 5, 2024. The organization has completed the requirements of the grant, and they have presented the city with their financial information submitted with the Profit and Loss Statement through December 31, 2023, including their annual grant related expenses through December 31, 2023.

Prepared By: Lori Carr, Finance Director

Reviewed By: Mike Sheppard, Finance Department



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: OCTOBER 17, 2024

RE: RESOLUTION NUMBER 24-86: LEASE OF PANASONIC COMPUTERS FOR THE EUSTIS POLICE DEPARTMENT AND EUSTIS FIRE DEPARTMENT

Introduction:

The purpose of this staff report is to seek approval from the City Commission for the lease of fifty (50) Panasonic Win11 Pro, Intel Core i5-1345U vPro computers and five (5) Panasonic BSKU, Win11 Pro, Intel Core i5-1245U vPro computers for a 60-month term. These computers will be utilized by the Eustis Police Department and Eustis Fire Department to enhance operational efficiency and modernize technology across both departments.

Background:

Both the Eustis Police Department and Eustis Fire Department rely on computers for critical daily operations, including dispatch, reporting, communication, and data management. The current hardware in use by both departments is outdated and no longer meets the performance standards required for efficient and reliable operation. Upgrading this technology is essential to ensure both departments can continue to provide the highest level of service to the community.

After assessing the needs of the departments, Panasonic Win11 Pro computers were selected based on their performance, durability, and compatibility with law enforcement and fire operations. The computers are equipped with Intel Core i5 vPro processors, which offer enhanced security, remote management capabilities, and improved overall performance necessary for mission-critical applications.

Leasing these computers will allow the City to upgrade its technology while spreading the cost over a 60-month period, providing budget flexibility and minimizing the financial burden of a full upfront purchase.

Recommended Action:

Staff recommends approval of resolution.

Budget Impact:

The total cost for the lease of fifty-five (55) computers over the 60-month term is \$275,805.65. The annual lease payments of \$55,161.13 will be budgeted in the technology and operational budgets of the Eustis Police Department and Eustis Fire

Toughbook Funds. This expenditure is necessary to replace outdated equipment and enhance the productivity and operational capabilities of both departments.

Item 5.1

Prepared by:

Captain Kenneth Toler, Road Patrol Captain

Reviewed by:

Craig Capri, Police Chief

RESOLUTION NUMBER 24-86

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AUTHORIZING AN EXPENDITURE IN EXCESS OF \$50,000.00 FOR THE EUSTIS POLICE AND EUSTIS FIRE DEPARTMENTS TO LEASE 55 PANASONIC TOUGHBOOK COMPUTERS UTILIZING THE SALES TAX CAPITAL PROJECT FUND ALLOCATED IN THE CITY OF EUSTIS APPROVED FISCAL YEAR 2024/2025 BUDGET.

WHEREAS, the City of Eustis is committed to providing modern and efficient technology resources to its departments, ensuring that public safety personnel are equipped with the necessary tools to perform their duties effectively; and

WHEREAS, City Purchasing Ordinance requires the City Commission to approve any purchase exceeding \$50,000; and

WHEREAS, the City's Fiscal Year 2024/2025 approved budget includes adequate funding for this equipment; and

WHEREAS, the City has negotiated lease agreements with Panasonic for fifty (50) Panasonic Win11 Pro, Intel Core i5-1345U vPro computers at an annual cost of \$50,225.78, and five (5) Panasonic BSKU, Win11 Pro, Intel Core i5-1245U vPro computers at an annual cost of \$4,935.35, both for a term of sixty (60) months; and

WHEREAS, leasing these computers will provide the Eustis Police Department and Eustis Fire Department with up-to-date technology while managing the financial impact through a lease, avoiding significant upfront costs; and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida, as follows:

- (1) That the Police and Fire Departments are hereby authorized to spend in excess of \$50,000 for the lease of equipment and contract funded within the existing budget; and
- (2) That the City Manager is authorized to execute all agreements necessary to provide said products with the above listed vendor.

DONE AND RESOLVED, this 17th day of October 2024, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by physical presence, this 17th day of October 2024, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 24-86 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk



To: Eustis City Commission
From: Tom Carrino, City Manager
Date: October 17, 2024
Re: Resolution Number 24-87: Approval of Purchase in Excess of \$50,000
for GovWell Software and Support

Introduction

Resolution Number 24-87 approves a purchase of more than \$50,000 for Development Services software purchase. This software, known as GovWell, is necessary to streamline building and development permitting and business licensing within the City.

Recommended Action

Staff recommends approval of the Resolution Number 24-87.

Background

The approved FY 2024-2025 Budget includes \$52,500 in funding for the procurement of GovWell software for the Development Services Department. The software contract includes modules for building permitting and inspections, planning and development and business licensing to include implementation and data migration services.

It is anticipated that GovWell will enable the Development Services Department to become more responsive to developers, contractors, home owners and business owners in their efforts to secure faster permits and licenses in the City. It will make the Development Services Department personnel more effective and efficient in the delivery of services to the public.

Budget and Staff Impact

The approved FY 24-25 Capital Improvements Budget includes the funding necessary for this purchase.

Prepared By:

Mike Lane, AICP, Development Services Director

RESOLUTION NUMBER 24-87

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AUTHORIZING A PURCHASE IN EXCESS OF \$50,000 FOR GOVWELL SOFTWARE FOR THE DEVELOPMENT SERVICES DEPARTMENT.

WHEREAS the City’s approved FY 24-25 Budget includes funding for the purchase of software that will streamline and improve the delivery of building permitting, inspections and licensing; and

WHEREAS this software, known as GovWell, should assist the various divisions in being more effective and efficient in their delivery of services to the public; and

WHEREAS, a purchase exceeding \$50,000 needs to be approved by the City Commission for this purpose; and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Lake County, Florida, as follows:

SECTION 1

1. That the Development Services Department is hereby authorized to make a purchase in an amount budgeted for \$52,500 for the procurement of GovWell software.
2. The City Manager is authorized to execute any documents to effectuate the purchase.

DONE AND RESOLVED, this 17th day of October 2024, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 17th day of October 2024 by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 24-87 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

To: Eustis City Commission

From: Tom Carrino, City Manager

Date: October 17, 2024

Re: Resolution Number 24-88: Accepting a Lift Station Easement Within Johnson's Point Townhomes Subdivision

Introduction:

Resolution Number 24-88 accepts a lift station easement within Johnson's Point Townhomes Subdivision, and authorizes the City Manager to execute all related agreements.

Background:

Johnson's Point Townhomes Subdivision is currently an active project under our Septic to Sewer conversion plan. As part of this project, the City plans on installing a lift station to provide City sewer access to the homes within the subdivision.

For the sum of Ten and 00/100 Dollars (\$10.00), JP Townhomes, LLC will grant the City of Eustis a Lift Station Easement providing the City necessary access to construct, operate, maintain, repair, and remove pipes and mains related to the water distribution system, gravity sewer collection system, and all other equipment and appurtenances as may be necessary or convenient for the operation of a lift station and associated water and sewer utility services to Johnson's Point Subdivision.

Recommended Action:

Staff recommends approval of Resolution Number 24-88.

Policy Implications:

N/A

Budget/Staff Impact:

None

Prepared By:

Olivia Kilgore – Administrative Assistant, Public Utilities

Reviewed By:

Greg Dobbins – Deputy Director of Public Utilities

Rick Gierok, P.E. – Director of Public Works, City Engineer

Attachments:

Resolution Number 24-88

RESOLUTION NUMBER 24-88

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ACCEPTING A LIFT STATION EASEMENT WITHIN JOHNSON'S POINT TOWNHOMES SUBDIVISION, AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL RELATED AGREEMENTS.

WHEREAS, JP Townhomes, LLC has executed and presented to the City an easement for the installation, operation and maintenance of a lift station and associated utility lines within Johnson's Point Townhomes Subdivision, attached hereto as Exhibit "A," incorporated herein by reference and made a part hereof; and

WHEREAS, the City has reviewed and approved the easement incorporated by reference and made a part hereof; and

WHEREAS, it is in the City's best interests to take this action.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida as follows:

SECTION 1. The foregoing recitals are incorporated herein by reference as findings and determinations of the Eustis City Commission.

SECTION 2. The above-referenced easement, attached and incorporated hereto, is accepted by the Eustis City Commission.

SECTION 3. To the extent that there are typographical, scrivener's or administrative errors that do not change the tone, tenor, or concept of this Resolution, then this Resolution may be revised without subsequent approval by the Eustis City Commission.

SECTION 4. The Clerk of Court is instructed to record the original easement in the Public Records of Lake County, Florida.

DONE AND RESOLVED this 17th day of October, 2024 in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 17th day of October 2024, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me and who personally appeared before me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission.

City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 24-88 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

EXHIBIT "A"

Page intentionally left blank.

Return to:
Development Services
4 N. Grove St.
Eustis, FL 32726

Prepared by:
Sasha O. Garcia, Esq.
Eustis City Attorney
10 N. Grove St.
Eustis, FL 32726

[Space Above This Line For Recording Data]

LIFT STATION EASEMENT

THIS LIFT STATION EASEMENT executed and given this ___ day of October, 2024, by **JP Townhomes, LLC**, a Florida limited liability company, whose address is 285 S. Central Avenue, Umatilla, FL 32784, hereafter called “**Grantor**,” in favor of the **CITY OF EUSTIS**, a municipality of the State of Florida, whose address is 10 N. Grove St., Eustis, FL 32726, hereafter called “**Grantee**”.

WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor agrees as follows:

A. Grantor, its successors or assigns, hereby grant, bargain, sell, alienate, remise, release, convey and confirm unto Grantee, a non-exclusive and permanent easement, in, over, across, under, through and upon the real property located in Lake County, Florida, described in **Exhibit “A”** attached hereto, incorporated by reference herein and hereafter referred to as the “**Easement Area**.”

B. This easement is given for the purpose of allowing Grantee to construct, operate, maintain, repair, replace and remove pipes and mains constituting the underground water distribution system, gravity sewer collection system, and all other equipment and appurtenances as may be necessary or convenient for the operation of a sewer lift station and associated water and sewer utility services to serve the Johnson’s Point Subdivision Community (hereafter “**Utility Lines and Associated Equipment**”); together with rights of ingress, egress and access to carry out the aforementioned purpose of this easement in the Easement Area.

C. The Utility Lines and Associated Equipment shall be constructed only within the portion of the Easement Area depicted on **Exhibit “B”** attached hereto, incorporated by reference herein and hereafter referred to as the “**Utility Location Map**”.

TO HAVE AND TO HOLD, unto Grantee, its successors and assigns, for the purposes aforesaid. Said Grantor is lawfully seized of said land in fee simple and thereby has the authority to grant said easement.

1. The easement herein granted is subject to covenants, restrictions, easements, liens and encumbrances of record.

2. Grantor reserves the right and privilege to use and occupy and to grant to others the right to use and occupy; (i) the air space over the Easement Area for any purpose which is consistent with the rights herein granted to Grantee; and (ii) subsurface of the Easement Area for other utility services or other purposes which do not interfere with the rights herein granted to Grantee, including, without limitation, the right to install, construct, operate, maintain, repair, replace and remove telecommunications, telephone, telegraph, electric, gas and drainage facilities and foundations, footing and/or anchors for surface improvements.

3. All Utility Lines and Associated Equipment will be installed, operated and maintained at all times beneath the surface of the Easement Area, provided that the same may be temporarily exposed or removed to the surface when necessary or desirable for the purpose of maintaining, repairing and/or replacing the same. Provided, however, that any associated equipment related to the Associated Equipment that is customarily installed above ground may be installed above ground subject to the right of Grantor, consistent with good engineering practices, to approve the location of such above-ground installation, in its reasonable discretion.

4. After any installation, construction, repair, replacement or removal of the Utility Lines and Associated Equipment as to which easement rights are granted, Grantee shall maintain the Utility Lines and Associated Equipment.

5. After any installation, construction, repair, replacement or removal of any Utility Lines and Associated Equipment, Grantee shall refill any holes or trenches in a proper and workmanlike manner to the condition existing prior to such installation, construction, repair, replacement or removal, and Grantee shall be responsible for restoration of sod, landscaping, planting, pavement or other surface improvements which are required to be removed in connection with installation, construction, repair, replacement or removal of Utility Lines and Associated Equipment. To the extent permitted by law, however, Grantee shall be responsible for damage to improvements that are caused by Grantee's negligence.

6. Grantee has the right to locate above ground and subsurface improvements, including but not limited to fences, irrigation lines, landscaping, light poles, and other reasonably improvements that promote the purpose of this easement.

7. Grantee shall exercise the easement rights conveyed herein in a manner which will not unreasonably interfere with use and occupancy of residential improvements constructed upon the adjacent property owned by Grantor, its successors or assigns.

8. This grant of easement shall inure to the benefit of and be binding of and be binding upon Grantee and its successors and assigns.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed by its duly authorized officer and its corporate seals to be hereunto affixed as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

JP Townhomes, LLC

Signature of Witness

Robert L. Wilson as Manager and
on behalf of RLW Holdings, LLC
285 S. Central Avenue
Umatilla, FL 32784

Print Name

Address of Witness

Signature of Witness

Print Name

Address of Witness

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of October, 2024, by Robert L. Wilson as Manager of RLW Holdings, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or who has produced a Florida Driver's License as identification.

Notary Public
My Commission Expires:

Exhibit "A"

LEGAL DESCRIPTION:

A PERMANENT UTILITY EASEMENT LOCATED IN LAKE COUNTY, FLORIDA MORE ACCURATELY DESCRIBED AS FOLLOWS:
BEGIN AT THE SOUTHWEST CORNER OF LOT 51, JOHNSON'S POINT SUBDIVISION LOCATED IN SECTION 33, TOWNSHIP
18 SOUTH, RANGE 26 EAST, AS RECORDED IN PLAT BOOK 28, PAGE 14 PUBLIC RECORDS OF LAKE COUNTY
FLORIDA, RUN EASTERLY ALONG THE SOUTH LINE OF LOT 51, ALSO KNOWN AS THE NORTH RIGHT OF
WAY LINE OF GRAND ISLAND SHORES ROAD, A DISTANCE OF 3.00 FEET TO THE POINT OF BEGINNING OF THIS
DESCRIPTION, THENCE CONTINUE EASTERLY ALONG THE SOUTH PROPERTY LINE OF LOT 51, JOHNSON'S POINT SUBD.
FOR A DISTANCE OF 21.00 FEET, THENCE NORTHERLY, PERPENDICULAR TO THE SOUTH RIGHT OF WAY LINE OF LOT 51
A DISTANCE OF 44.00 FEET, THENCE WESTERLY, PARALLEL TO THE SOUTH PROPERTY LINE OF LOT 51, JOHNSON'S POINT
A DISTANCE OF 21.00 FEET, THENCE SOUTHERLY 44.00 FEET TO THE POINT OF BEGINNING.
SAID EASEMENT CONTAINING 924 SQUARE FEET OR 0.02 ACRES +/-.

Exhibit "B"





City of Eustis

Development Services Department

Item 6.1

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5460

To: Eustis City Commission

From: Tom Carrino, City Manager

Date: October 17, 2024

Re: Resolution Number 24-80: Authorizing the Vacation of a 16' by 25' Wide Utility Easement located on property at 7 Forest Lane (also referred to as Lot 4, Block II, Harbor Villas Subdivision, as recorded in Lake County Plat Book 25, Pages 16 and 17)

A. Introduction: The applicant, Gilles Deluxe Properties, LLC, has petitioned the City to vacate the utility easement (approximately 25 feet by 16 feet) in the Harbor Island Villas Subdivision Plat (as recorded Lake County Plat Book 25, Pages 16 and 17) on their property at 7 Forest Lane.

1. Pertinent Site Information

- a. The subject property is located at 7 Forest Lane. This property is Lot 4, Block II of the Harbor Island Villas Subdivision, as recorded in Lake County Plat Book 25, Pages 16 and 17).
- b. The property has a land use designation of Suburban Residential (SR) and a design district designation of Suburban Neighborhood.
- c. The Eustis City Commission approved the Harbor Island Villas Subdivision on May 15, 1980.
- d. There is a single-family home constructed on the site that was constructed in 1987.

2. Considerations

- a. Staff confirmed that no City utilities are located within the easement and there is no future need for the easement area in question.
- b. The utility companies including Duke Energy, Comcast Communications, TECO Energy (Gas), and Century Link, were notified to review this request; however, no responses have been received from them.
- c. Approval of the easement vacation will reduce the easement area by 400 square feet from a total size of 1,450 square feet.
- d. It appears that there was a scrivener's error on the plat which denoted that each lot had utilities within the first 25' of the property line. This property line doesn't begin until 25'+ from the street's edge.

3. Compliance with Applicable Codes and Policies

- a. Land Development Regulations: Section 115-4.8 (c)(1)g. states that "water mains shall be located in dedicated rights-of-way or utility easement[s]. The minimum width of water and sewer utility easements is 15 feet. Water mains shall not be placed under retention/detention basins, tennis courts, parking lots, or other structures, unless approved by the city."

- b. Code of Ordinances: Section 94-7. City's right of access, states "The applicant for such service shall grant or cause to be granted to the city without cost all rights, easements, permits and privileges which are necessary for the rendering of water or sewerage service."

B. Background: Resolution Number 24-80 approves the vacation of the easement that includes the garage footprint located at 7 Forest Lane (also referred to as Lot 4, Block II, Harbor Island Villas Subdivision, as recorded in Lake County Plat Book 25, Pages 16 and 17).

Specifically, the easement's legal description is as follows:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 4, BLOCK II, HARBOR ISLAND VILLAS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGES 16 AND 17, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN N 00° 07'40" W. ALONG THE EAST LINE OF SAID LOT 4 A DISTANCE OF 9.00 FEET TO THE POINT OF BEGINNING; THENCE RUN N 89° 49'40" W. A DISTANCE OF 25.00 FEET; THENCE RUN N 00°07'40" W. A DISTANCE OF 16.00 FEET; THENCE RUN N 89°49'40" W. A DISTANCE OF 25.00 FEET RETURNING TO THE EAST LINE OF SAID LOT 4; THENCE S 00°07'40" E. ALONG SAID LINE A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING.

- C. Recommendation:** The administration recommends approval of Resolution Number 24-80 based on the following findings:
- a. There are no City utilities within the easement.
 - b. There appears to be no objections from the other utility providers.

Prepared By:

Mike Lane, Development Services Director

RESOLUTION NUMBER 24-80

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; AUTHORIZING THE VACATION OF A SIXTEEN FOOT BY TWENTY-FIVE FOOT WIDE UTILITY EASEMENT LOCATED ON PROPERTY AT 7 FOREST LANE (ALSO REFERRED TO AS LOT 4, BLOCK II, HARBOR VILLAS SUBDIVISION, AS RECORDED IN LAKE COUNTY PLAT BOOK 25, PAGES 16 AND 17).

WHEREAS, on September 12, 2024, the property owners, Gilles Deluxe Properties, LLC, petitioned the City of Eustis to vacate a sixteen foot by twenty-five foot wide utility easement lying under the front driveway/garage, Lot 4, Block II, Harbor Island Villas Subdivision as shown on attached Exhibit A and more particularly described as follows:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 4, BLOCK II, HARBOR ISLAND VILLAS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGES 16 AND 17, OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN N. 00° 07'40" W. ALONG THE EAST LINE OF SAID LOT 4 A DISTANCE OF 9.00 FEET TO THE POINT OF BEGINNING; THENCE RUN N. 89° 49'40" W. A DISTANCE OF 25.00 FEET; THENCE RUN N 00°07'40" W. A DISTANCE OF 16.00 FEET; THENCE RUN N 89°49'40" W. A DISTANCE OF 25.00 FEET RETURNING TO THE EAST LINE OF SAID LOT 4; THENCE S 00°07'40" E. ALONG SAID LINE A DISTANCE OF 16.00 FEET TO THE POINT OF BEGINNING; and

WHEREAS, the utility easement on the subject property was dedicated as part of the Harbor Island Villas Subdivision Plat in 1980; and

WHEREAS, a loan for the property's transfer requires the vacation of said easement; and

WHEREAS, the current property owner has agreed to vacate the utility easement and that the vacation will not cause adverse effects; and

WHEREAS, the City of Eustis finds that it is in the best interest of the City to vacate the utility easement on the property located at 7 Forest Lane.

NOW, THEREFORE, BE IT RESOLVED by the Eustis City Commission as follows:

Section 1: That the above described utility easement is discontinued and vacated and that the City Commission does hereby renounce and disclaim any right, title, or interest in and to the same; and that the title thereto be vested in the adjoining property owners, in accordance with the law.

Section 2: That this resolution shall become effective upon approval of Resolution Number 24-80.

DONE AND RESOLVED this 17th day of October 2024, in regular session of the City Commission of the City of Eustis, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor-Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 17th day of October 2024 by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial No:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

City Attorney's Office

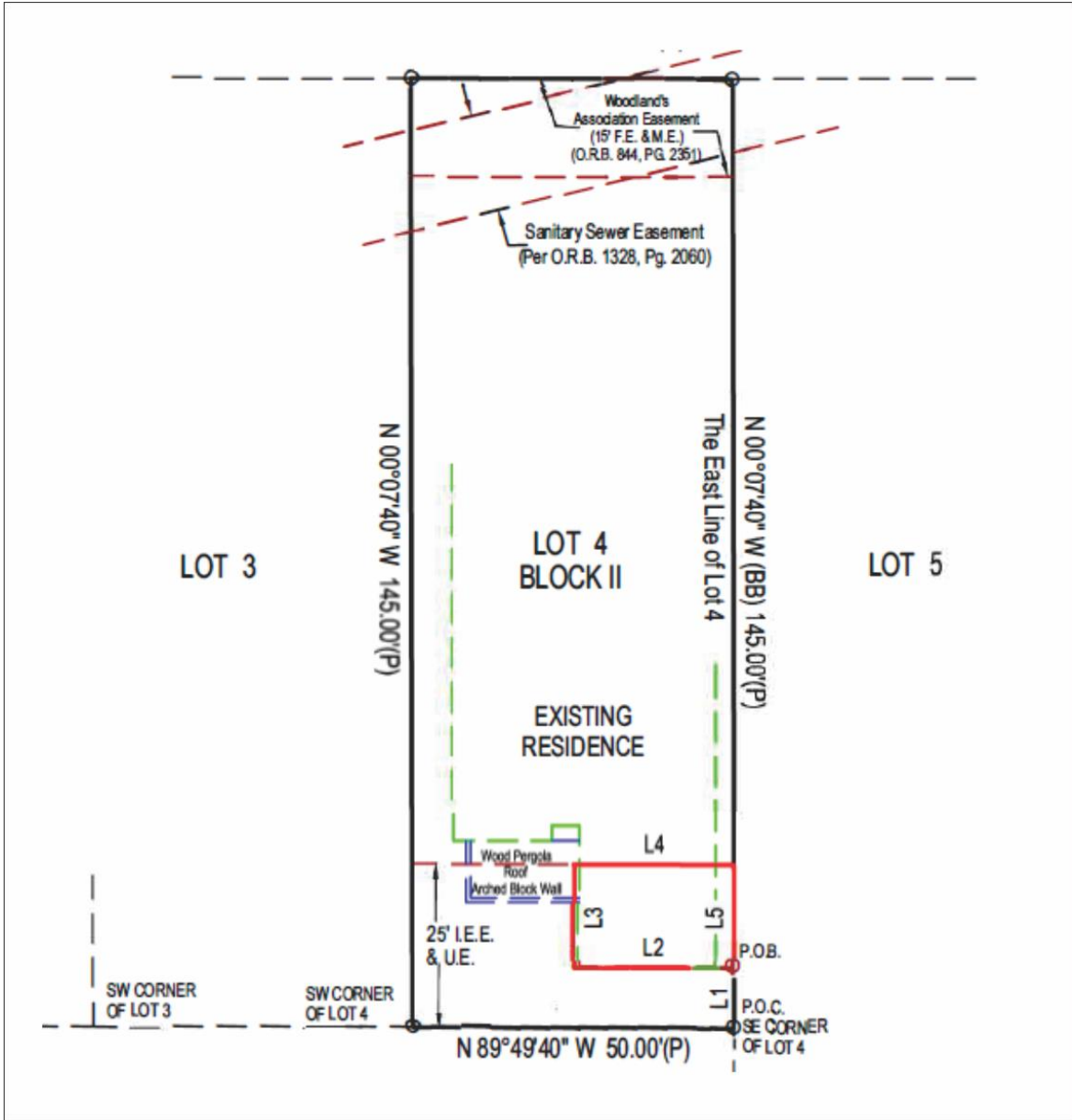
Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 24-80 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Senior Service Center, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A





City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

To: Eustis City Commission

From: Tom Carrino, City Manager

Date: October 17, 2024

Re: Explanation of Ordinances for Annexation of Parcel with Alternate Key Number 1443270:

Ordinance Number 24-35: Voluntary Annexation

Ordinance Number 24-36: Comprehensive Plan Amendment

Ordinance Number 24-37: Design District Assignment

FIRST READING

Ordinance Number 24-35: Voluntary Annexation of Parcel located at 2505 E. Orange Avenue with Alternate Key Number 1443270

Introduction:

Ordinance Number 24-35 provides for the voluntary annexation of approximately .34 acres located at 2505 E. Orange Avenue. Provided the City Commission approves annexation of the subject property, Ordinance Number 24-36 would change the future land use designation from Urban Medium in Lake County to Residential/Office Transitional (RT) in the City of Eustis, and Ordinance Number 24-37 would assign the subject property a design district designation of Suburban Corridor. If the City Commission denies Ordinance Number 24-35, then there can be no consideration of Ordinance Numbers 24-36 and 24-37.

Background:

1. The site contains approximately .34 acres located at 2505 E. Orange Avenue and is within the Eustis Joint Planning Area. The majority of the site is vacant; one single-family structure exists onsite. The Lake County Property Appraiser has classified the property as 1 story commercial office.
2. The site is contiguous to the City on all boundaries.
3. The site has a Lake County land use designation of Urban Medium, but approval of Ordinance Number 24-36 would change the land use designation to Residential/Office Transitional in the City of Eustis.
4. The property has a currently vacant commercial office structure and associated parking on site.
5. The commercial office building and parking area are accessed directly from E Orange Avenue.

- The County Zoning for the property is Residential Professional. Lake County Residential Professional Zoning allows for office and professional services. The last office and professional services businesses occupying the building appear to have been between May 2019 and August 2022.

Applicant's Request

The applicant, George Trenfield, submitted an application for annexation and assignment of a Eustis future land use designation and design district.

The current Lake County the land use designation is Urban Medium and the zoning designation is Residential Professional. The Lake County zoning and land use designations allow for multi-family up to 7 du/acre, professional services and limited commercial. The property owner has requested the Residential Office Transitional (RT) land use designation within the City of Eustis. The RT land use provides for multi-family up to 12 du/acre and professional offices and services; most commercial uses require a conditional use approval by City Commission. The requested RT designation is consistent with the land use designation of adjacent properties.

Analysis of Annexation Request (Ordinance Number 24-35)

- Resolution Number 87-34 – Joint Planning Area Agreement with Lake County:
“The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.....The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

The subject property is located within the Joint Planning Area. Urban services of adequate capacity are available to serve future development, consistent with the requested RT future land use designation.

- Florida Statutes Voluntary Annexation - Chapter 171.044(1):
“The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”

The Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lies within that planning area; it is contiguous to the City limits on all boundaries; and the owner petitioned for annexation.

- Florida Statutes Voluntary Annexation - Chapter 171.044(2):
“...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town...”

The department published notice of this annexation in the Daily Commercial in accordance with the requirements on October 7, 2024 and October 14, 2024.

4. Florida Statutes Voluntary Annexation - Chapter 171.044(5):
 “Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

The subject property is already an enclave; annexation of the property closes the enclave.

5. Florida Statutes Voluntary Annexation - Chapter 171.044(6):
 “Not fewer than 10 days prior to publishing or posting the ordinance notice required under subsection (2), the governing body of the municipality must provide a copy of the notice, via certified mail, to the board of the county commissioners of the county wherein the municipality is located...”

The department notified the Lake County Board of County Commissioners on September 13, 2024.

Analysis of Comprehensive Plan/Future Land Use Request (Ord. Number 24-36)

In Accordance with Florida Statutes Chapter 163.3177.9.:

Discourage Urban Sprawl:

Primary Indicators of Sprawl:

The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:

Review of Indicators

1. Low Intensity Development:

Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

This indicator does not apply. The requested RT future land use designation will provide for office development of medium density/intensity up to 1.0 FAR. And/or multi-family up to 12 du/acre.

2. Urban Development in Rural Areas:

Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using

undeveloped lands that are available and suitable for development.

This indicator does not apply. The requested designation in this geographic area will provide for development of a suburban nature within 1.25-miles of the City's urban core. The property is a mostly vacant enclave surrounded by urban development.

3. Strip or Isolated Development:

Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

This indicator does not apply. The requested future land use does not designate urban development in a radial, strip, isolated, or ribbon pattern emanating from existing urban development. The site is located approximately 1.25 miles from the City's downtown core. The property is already developed for office uses and fronts on a minor arterial roadway (Orange Avenue) in an area where surrounding properties have RT, Suburban Residential (SR), and Urban Medium (County) future land use designations. The proposed designation is consistent with the character of the surrounding area.

4. Natural Resources Protection:

Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

The property has already been developed for office professional use. However, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should conditions at the time of and further development or redevelopment, warrant such protection.

5. Agricultural Area Protection:

Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and

silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is not prime farmland and has no unique soils.

6. Public Facilities:

Fails to maximize use of existing public facilities and services.

This indicator does not apply. City water and wastewater services are available to the site along East Orange Avenue and Cricket Hollow Lane. Adequate capacity is available to serve future development consistent with the requested RT future land use designation.

7. Cost Effectiveness and Efficiency of Public Facilities:

Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve future development consistent with the requested RT future land use designation. The City provides these services to other properties in the area, so efficiency will improve.

8. Separation of Urban and Rural:

Fails to provide a clear separation between rural and urban uses.

This indicator does not apply. The property is an undeveloped enclave; surrounded by suburban uses. Development of this property fills in a major gap in the transition between urban and rural.

9. Infill and Redevelopment:

Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.

This indicator does not apply. The property is completely surrounded by suburban development. This is infill development.

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply. By virtue of the requested RT future land use designation, mixed uses will be permitted and encouraged.

11. Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

This indicator does not apply. The Land Development Regulations include provisions to provide adequate accessibility and linkages between related uses. Development Services will ensure compliance with these standards at time of site plan review.

12. Open Space:

Results in the loss of significant amounts of functional open space.

This indicator does not apply. The property has a developed commercial office and parking facilities on premise.

13. Urban Sprawl:

The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:

a. Direction of Growth:

Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.

The site is located approximately 1.25 miles from the City's downtown core; fronts on a minor arterial roadway and is located in a geographic area where surrounding properties already have been approved for suburban development. The Comprehensive Plan and the Land Development Regulations include standards for protection of environmentally sensitive lands that would apply should conditions at time of development warrant such protection.

b. Efficient and Cost-Effective Services:

Promotes the efficient and cost-effective provision or extension of public infrastructure and services.

City water and wastewater services are available to the site along Orange Avenue and Cricket Hollow Lane.

c. Walkable and Connected Communities:

Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.

The RT future land use designation, coupled with a Suburban Corridor design district, provides for housing choices, including single and multi-family residential dwellings up to a maximum density of 12 dwelling units per acre. A mix of uses, including residential, civic, and office (maximum intensity of 1.0-floor area ratio), would be permitted. Commercial uses are only possible with a conditional use approval by the City Commission. The Land Development Regulations include pedestrian network standards and block structure to ensure compact development.

d. Water and Energy Conservation:

Promotes conservation of water and energy.

Future redevelopment of the property may include water and energy conservation measures; however, those details are not available at this time.

e. Agricultural Preservation:

Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.

Not applicable; this site does not support active agricultural or silvicultural activities.

f. Open Space:

Preserves open space and natural lands and provides for public open space and recreation needs.

The site is currently developed. However, the Land Development Regulations (LDRs) require that all development include dedicated open space

consistent with the LDR and Comprehensive Plan requirements. New residential subdivisions incorporate park area within the subdivision for the residents of the development. On redevelopment of the site the open space issue will need to be addressed.

g. Balance of Land Uses:

Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.

Mixed-use development in this area of the City could provide convenient commercial and professional services to serve the current and future residents of Eustis.

h. Urban Form Densities and Intensities:

Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

Not applicable.

In Accordance with Comprehensive Plan Future Land Use Element Appendix:

All applications for a Plan amendment relating to the development patterns described and supported within the Plan including, but not limited to, site specific applications for changes in land use designations, are presumed to involve a legislative function of local government which, if approved, would be by legislative act of the City and shall, therefore, be evaluated based upon the numerous generally acceptable planning, timing, compatibility, and public facility considerations detailed or inferred in the policies of the Plan. Each application for an amendment to the Map #1: 2035 Future Land Use Map by changing the land use designation assigned to a parcel of property shall also be reviewed to determine and assess any significant impacts to the policy structure on the Comprehensive Plan of the proposed amendment including, but not limited to, the effect of the land use change on either the internal consistency or fiscal structure of the Plan.

Major Categories of Plan Policies:

This Plan amendment application review and evaluation process will be prepared and presented in a format consistent with the major categories of Plan policies as follows:

1. General Public Facilities/Services:

Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the subject property. The facilities and services required for analysis include emergency services, parks and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

a. Emergency Services Analysis:

The subject property is located approximately 1.25 miles from the downtown core. Eustis and County emergency services already provide emergency response to other properties in the area. Additionally, fire service is approximately 2 miles from the subject property. Any development consistent with the RT future land use designation would have no significant impact on the operations of Eustis emergency services.

b. Parks & Recreation:

The current development existing on the property has no impact on Parks & Recreation.

c. Potable Water & Sanitary Sewer:

Water and sewer are available to the subject property. The current use of the property will not place additional burdens on available capacity.

d. Schools:

The proposed change will not negatively impact schools. See attached Lake County Public Schools Growth Impact Report.

e. Solid Waste:

The City contracts with Waste Management for hauling of solid waste. The company already services properties in the general area of the subject property. Serving this property will increase efficiency in delivery of services.

f. Stormwater:

The Comprehensive Plan and Land Development Regulations include level of service standards to which new development must adhere. Projects designed to meet these standards will not negatively affect the existing facilities and services.

g. Transportation Network Analysis:

The assignment of the Residential Office Transitional matched the surrounding land uses and the existing Lake County Land Use

for intensity. The property is currently developed as a commercial office and will continue as such. This will not add additional capacity constraints associated with the assignment of the Residential Office Transitional land use.

2. Natural Resources/Natural Features:

The policies of the Plan also contain general regulatory guidelines and requirements for managing growth and protecting the environment. These guidelines will be used to evaluate the overall consistency of the land use amendment with the Comprehensive Plan. Specifically each amendment will be evaluated to 1) determine the existence of groundwater recharge areas; 2) the existence of any historical or archaeological sites; 3) the location of flood zones and the demonstration that the land uses proposed in flood-prone areas are suitable to the continued natural functioning of flood plains; and 4) the suitability of the soil and topography to the development proposed.

a. Ground water recharge areas:

The subject property is located in an effective recharge area; 6 inches per year. However, the site is already developed.

b. Historical or archaeological sites:

The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist. Should any historical sites or archaeological sites be uncovered during future redevelopment, work in the vicinity shall cease until the property authorities can be contacted and an evaluation is conducted.

c. Flood zones:

The subject property is not located in a flood zone, nor is it adjacent to other properties that lie substantially within a flood zone. This is due to the steepness of the property in relation to the lake.

d. Soil and topography:

Onsite soils include Lake Sand series. The soils are well drained to excessively drained. The water table is at a depth of more than 120 inches. Land ranges from nearly level to steep. According to Lake County's online Topography Map, the site elevations range from 155 ft to 110 above mean sea level. Any future development type and foundations will be dependent on/determined by soil borings conducted as part of the project design process.

3. Comprehensive Plan Review:

Additional criteria and standards are also included in the Plan that describe when, where and how development is to occur. Plan development policies will be used to evaluate the appropriateness of the compatibility of the use, intensity, location, and timing of the proposed amendment.

The current Lake County zoning designation of the subject property is Residential Professional and the land use designation is Urban Medium. The property owner has requested the Residential Office (RT) land use designation within the City of Eustis. The evaluation below supports the requested designation.

a. Review of Surrounding Properties

The Eustis land use designation to the north, northwest and northeast is Suburban Residential (SR) with a maximum density of 5 dwelling units per acre. The SR designation is intended to provide for a mix of single-family detached, patio homes and townhouse-type dwellings in a suburban atmosphere.

The Eustis land use designations to the west and east are Residential Office Transitional. The RT Future Land use designation applies to older residential areas having residential character, which are located adjacent to nonresidential development. The purpose is to provide for establishment of business and professional offices and limited retail and service business while maintaining residential character or compatibility.

The County land use designation to the south is Urban Medium. This designation provides for a range of residential development up to 7 du/acre in addition to limited commercial and office uses. It is located on or in close proximity to major collectors and arterial roadways.

Source: Lake County GIS Zoning & FLU Codes – 5/15/14

b. Comparison of Lake County Development Conditions

The existing Lake County future land use designation of the parcel is Urban Medium, which provides for a range of residential development in addition to civic, commercial and office uses at an appropriate scale and intensity to serve this category. Allowable density and intensity in Urban Medium is a maximum of 7 dwelling units per acre and intensity of 0.35 to 0.50 floor area ratio.

The proposed City of Eustis future land use designation of the parcel is Residential Office Transitional (RT), applies to older residential areas having residential character, which are located adjacent to nonresidential development. The purpose is to provide for establishment of business and professional offices and limited retail and service business while maintaining residential character or compatibility. Residential densities in RT may not exceed 12 dwelling units per acre (subject to compatibility requirements based on adjacent densities) and the maximum intensity is 1.0 FAR.

c. Proposed Residential Land Uses.

The City shall limit these uses adjacent to incompatible commercial or industrial lands unless sufficient mitigation, such as buffering and setbacks is provided and available, which lessens the impact to the proposed residences.

d. *Proposed Non-Residential Land Uses.*

The City shall generally not permit new commercial or industrial uses to be located adjacent to existing or planned residentially designated areas without sufficient mitigation.

4. Transportation:

Each application for a land use designation amendment will be required to demonstrate consistency with the Transportation Element of the adopted Comprehensive Plan.

The proposed land use designation is consistent with the Transportation Element. The LOS on Orange Avenue can accommodate even the maximum development scenario on this parcel.

5. Water Supply:

Each application for a land use designation amendment will be required to demonstrate that adequate water supplies and associated public facilities are (or will be) available to meet the projected growth demands.

Public utilities and services are available.

In Accordance with Chapter 102-16(f), Land Development Regulations

Standards for Review:

In reviewing the application of a proposed amendment to the comprehensive plan, the local planning agency and the city commission shall consider:

a. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all expressed policies the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan. See analysis above under item 5, A through D.

b. *In Conflict with Land Development Regulations:*

Whether the proposed amendment is in conflict with any applicable provisions of these land development regulations.

The proposed amendment is not in conflict with the Land Development Regulations. At the time of development there will be further review for compliance.

c. *Inconsistent with Surrounding Uses:*

Whether, and the extent to which, the proposed amendment is inconsistent with existing and proposed land uses.

The RT future land use designation is consistent with other land use designations along the SR 44 corridor because it is intended to provide for residential development combined with office development that has a character and scale that promotes compatibility with adjacent or nearby

residential uses. See also Review of Surrounding Properties under item 5.C. above, which outlines the Orange Avenue designations and demonstrates that the RT future land use designation is consistent with other properties on this corridor.

d. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

The applicant wishes to annex the property into the City limits of Eustis. Assignment of a City of Eustis future land use designation is required. Upon annexation, the subject property will have a full array of municipal services, including central water and wastewater. These changed conditions warrant a change in the land use designation.

e. *Demand on Public Facilities:*

Whether, and the extent to which, the proposed amendment would result in demands on public facilities, and whether, or to the extent to which, the proposed amendment would exceed the capacity of such public facilities, infrastructure and services, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

City water and wastewater services are available to the site along Orange Avenue. Adequate capacity is available to serve future development consistent with the requested RT future land use designation. Orange Avenue has sufficient capacity to serve a mixed-use development on this site. Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve. See attached Lake County Public Schools Growth Impact Report, which indicates the change will not negatively impact schools.

f. *Impact on Environment:*

Whether, and the extent to which, the proposed amendment would result in significant impacts on the natural environment.

The site is already developed with professional office building and associated parking area.

g. *Orderly Development Pattern:*

Whether, and the extent to which, the proposed amendment would result in an orderly and logical development pattern, specifically identifying any negative effects on such pattern.

Future land use designations of properties within the City limits fronting on Orange Avenue include Residential Office Transitional, Mixed Commercial Residential, General Commercial and Suburban Residential. Lake County properties are designated Urban Low and Urban Medium. The requested RT future land use designation, coupled with a Suburban Corridor design district designation, provides for a consistent development transect along SR 44.

h. Public Interest and Intent of Regulations:

Whether the proposed amendment would be consistent with or advance the public interest, and in harmony with the purpose and intent of these land development regulations.

The purpose and intent of the Land Development Regulations is as follows:

“The general purpose of this Code is to establish procedures and standards for the development of land within the corporate boundaries and the planning area of the city, such procedures and standards being formulated in an effort to promote the public health, safety and welfare and enforce and implement the city's comprehensive plan, while permitting the orderly growth and development with the city and Eustis planning area consistent with its small town community character and life style”

The proposed RT future land use designation for the subject parcel will provide for orderly growth and development. This designation would advance the public interest by providing housing options and commercial services, and application of the LDRs to the future development will ensure consistency with the community character and lifestyle.

i. Other Matters:

Any other matters that may be deemed appropriate by the local planning agency or the city commissioners, in review and consideration of the proposed amendment.

No other matters.

Analysis of Design District Request (Ordinance Number 24-37):

Form-Based Code:

The City's Land Development Regulations are a form-based code. Design districts are unique to form-based codes. Lake County still uses traditional Euclidean zoning, so there are no design districts for parcels in unincorporated Lake County. When a parcel annexes into the City of Eustis, the City must assign a consistent design district that follows the urban, suburban and rural transect

1. Standard for Review:

The Land Development Regulations includes the following standards for review of an amendment to the Design District Map. In approving a change in the designation, the City Commission shall consider: Whether the amendment is in conflict with any applicable provisions of the Code.

a. Section 102-17(a) "...Section 109-3 Design Districts:

identifies the definition, structure and form of each design district. The assignment of design district must follow the district pattern and intent.”

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Corridor). The Suburban development pattern and intent, and the Suburban Corridor

definition, structure and form description are stated below. The assignment of a Suburban Corridor design district designation is appropriate due to the established and proposed development patterns in the area. The City of Eustis Design District Map shows the SR 44 right-of-way as a Suburban Corridor. The majority of properties within the City limits fronting on SR 44 between Sunrise Lane and Diedrich Street are Suburban Corridor. The annexation property is between these terminuses of the corridor.

b. Sec. 109-3.4. Suburban development pattern intent statements:

Intent. Suburban development pattern...relies primarily on a pattern of residential development that provides the majority of property owners with substantial yards on their own property. The street layout, comprised of streets with fewer vehicular connections, helps to reduce cut-through traffic and establishes distinct boundaries for residential communities/subdivisions. **Nonresidential uses are primarily located on corridors**, districts and a mix of uses is prominent in centers. Each land use provides for pedestrian and bicycle connections.

Design districts

(4) Suburban corridor:

Definition. Linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size ranges from large areas of depth to shallow in nature, compatible with the adjacent neighborhoods.

Structure. The street system is designed to accommodate the density, intensity, and form of suburban development and provides functional connections that link neighborhoods to shopping areas.

Form. Predominately single-use areas that may include a mix of uses, retail, and residential.

The Suburban development patterns statement above indicates that non-residential uses are primarily located on corridors. A Suburban Corridor designation follows the district pattern and intent outlined in the Land Development Regulations, and is consistent with the existing transect along Orange Avenue.

c. Section 102-17(a)

The following guidelines must be followed when proposing the reassignment of design district:

Compatible intensities should face across streets. Changes in design districts should occur along rear alleys or lanes or along conservation edges.

The property south of the site, across Orange Avenue, lies in unincorporated Lake County and Lake County does not have design districts. Creating a condition where like designations face across streets is not applicable in this case because much of the adjacent land is not in the City limits. The Design District Map, however, designates this portion of Orange Avenue as Suburban Corridor. Where new development will abut an existing or approved neighborhood, the new development should establish similar or compatible transect conditions. (Transect per LDRs Section 100, "The rural-urban transect describes the physical form and character of a place according to the density of its land use).

The requested Suburban Corridor designation would establish similar and compatible transect conditions. The majority of properties within the City limits fronting on SR 44 are Suburban Corridor and “suburban” is the appropriate transect condition between urban and rural.

d. *Consistent with Comprehensive Plan:*

Whether the proposed amendment is consistent with all elements of the comprehensive plan.

The requested amendment is consistent with the Future Land Use element (including Policy FLU 1.2.4, Development Patterns and FLU 1.3.2. Maintain Residential Compatibility), as well as all other elements of the Comprehensive Plan.

e. *Consistent with Surrounding Uses:*

Whether, and the extent to which, the proposed design district is consistent with existing and proposed land uses.

The Suburban Corridor definition, structure and form are compatible with the existing uses and any proposed uses permitted under the Residential Office Transitional future land use designation.

f. *Changed Conditions:*

Whether there have been changed conditions that justify amending the design district.

The subject property is proposed for annexation and a design district assignment is necessary. The conditions have changed from land located in unincorporated Lake County without central services to a site within the City of Eustis with full municipal services.

g. *Public Facilities.*

Whether, and the extent to which, the proposed redistricting would result in demands on public facilities, and whether, or to the extent to which, the proposed change would exceed the capacity of such public facilities, including, but not limited to police, roads, sewage facilities, water supply, drainage, solid waste, parks and recreation, schools, and fire and emergency medical facilities.

This amendment will not change the demand on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also see analysis of public facilities in above sections of this report.

h. *Impact to Environment:*

Whether, and the extent to which, the redistricting would result in significant impacts on the natural environment.

The proposed Design District designation for this property does not change the development potential of the parcel. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment. Site plan review for any future development will include environmental review to assess impacts to flora, fauna and wetlands, and provide for protection of sensitive areas.

i. *Property Values:*

Whether, and the extent to which, the proposed redistricting would affect the property values in the area.

This request should not adversely affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

j. *Orderly Development Pattern:*

Whether, and the extent to which, the proposed redistricting would result in an orderly and logical development pattern.

The proposed Design District designation is consistent with the suburban development pattern identified in Section 109-5.5. Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

k. *Public Interest and Intent of Regulations:*

Whether the proposed redistricting would be in conflict with the public interest, and in harmony with the purpose and intent of these regulations.

The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

l. *Other Matters:*

Any other matters that may be deemed appropriate by the city commission, in review and consideration of the proposed redistricting.

The City's Land Development Regulations are a form-based code. The Design District designations define the development form, but not the types of land uses, densities, intensities or required open space. The districts, therefore, must be consistent and follow the urban, suburban and rural transect. This request assigns a designation to an annexation parcel.

Applicable Policies and Codes

1. Resolution Number 87-34

Joint Planning Area Agreement with Lake County: “The City and the County agree that the unincorporated areas adjacent to the City might be appropriately served by urban services provided by the City, and might therefore be annexed into the City in accordance with State law.....The City agrees to annex property in accordance with State law and provide adequate urban services and facilities to serve those areas within the Joint Planning Area.”

2. Florida Statutes Chapter 171.044: Voluntary Annexation:

- a. “The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”
- b. “Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

3. Land Development Regulations Section 109-5.5(b)(4):

The Suburban Corridor Design District has “linear concentrations of typically commercial uses, predominately auto-oriented uses. The parcel size ranges from large areas of depth to shallow in nature, compatible with the adjacent neighborhoods.”

4. Land Development Regulations Section 109-2.6:

Residential/office transitional district (RT). This land use designation applies to older residential areas having residential character, which are located adjacent to nonresidential development. The purpose is to provide for establishment of business and professional offices and limited retail and service business while maintaining residential character or compatibility.

5. Land Development Regulations Section 115-3.2:

Suburban residential compatibility.

- (1) The maximum residential density permitted within any suburban design district shall be consistent with the maximum density of the applicable land use district assigned to each individual property.
- (3) Transitions within a design district and adjacent to another design district. Edge condition standards. When any suburban design district abuts an existing development, whether residential or commercial, the following shall occur:
 - a. The new residential building lot typologies that are proposed adjacent to existing or platted residential lots may not be smaller than 85 percent of the lot width or intensity of the existing adjacent residential lot(s).
 - b. Nonresidential building lot typologies that are adjacent to existing residential may be permitted if utilizing the minimum lot requirements. If lot requirements exceed the minimum, a masonry wall and landscape shall be required or a street or alley may be sufficient in buffering. This determination shall be given during site plan review by the development services director.

Recommended Action:

Development Services recommends that the City Commission Approve Ordinance Numbers 24-35, 24-36 and 24-37.

Policy Implications:

None

Alternatives:

1. Vote to Approve Ordinance Number 24-35, 24-36 and 24-37.
2. Vote to Deny Ordinance Number 24-35, 24-36 and 24-37

Budget/Staff Impact:

None

Prepared By:

Jeff Richardson, AICP, Deputy Director, Development Services

ORDINANCE NUMBER 24-35

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 0.34 ACRES OF REAL PROPERTY AT 2505 E ORANGE AVENUE, ALTERNATE KEY NUMBER 1443270, ON E ORANGE AVENUE AND CHRICKETT HOLLOW LANE, NORTH SIDE OF E ORANGE AVENUE.

WHEREAS, George Trenfield has made an application for voluntary annexation of approximately 0.34 acres of real property located at 2505 E Orange Avenue, more particularly described as:

Alternate Key Number: 1443270

Parcel Number: 07-19-27-0002-000-03100

Legal Description:

BEG INTERSECTION OF W LINE OF SEC WITH N LINE HWY 44, RUN N 150 FT, E 100 FT, S 150 FT, W 100 FT TO POB ORB 1272 PG 1383

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

WHEREAS, the subject property is reasonably compact and contiguous; and

WHEREAS, the annexation of this property will not result in the creation of enclaves; and;

WHEREAS, the subject property is located within the City of Eustis Planning Area, and water service is available to the property; and

WHEREAS, on October 17, 2024, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on November 7, 2024, the City Commission held the 2nd Public Hearing to consider the voluntary annexation of the property contained herein

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal boundaries to include approximately 0.34 acres of real property, as described above.

A map depicting the location of the annexed property described above is attached hereto as Exhibit "A".

SECTION 2.

That the Director of Development Services shall be authorized to amend the City of Eustis Boundary Map to incorporate the change described in Section 1.

SECTION 3.

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

That upon final passage and adoption, the City Clerk is hereby directed to file a copy hereof with the Clerk of the Circuit Court, the County Manager for Lake County, Florida, and the Department of State for the State of Florida within 7 days after the adoption of such ordinances.

SECTION 5.

That should any section, phrase, sentence, provision or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 6.

That this Ordinance shall become effective upon passing.

SECTION 7.

That the property annexed in this Ordinance is subject to the Future Land Use Element of the Lake County Comprehensive Plan until the City adopts the Comprehensive Plan Amendment to include the annexed parcel in the City Comprehensive Plan.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 7th day of November 2024.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7th day of November, 2024, by Michael L Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission but I have not performed an independent title examination as to the accuracy of the legal description.

City Attorney's Office

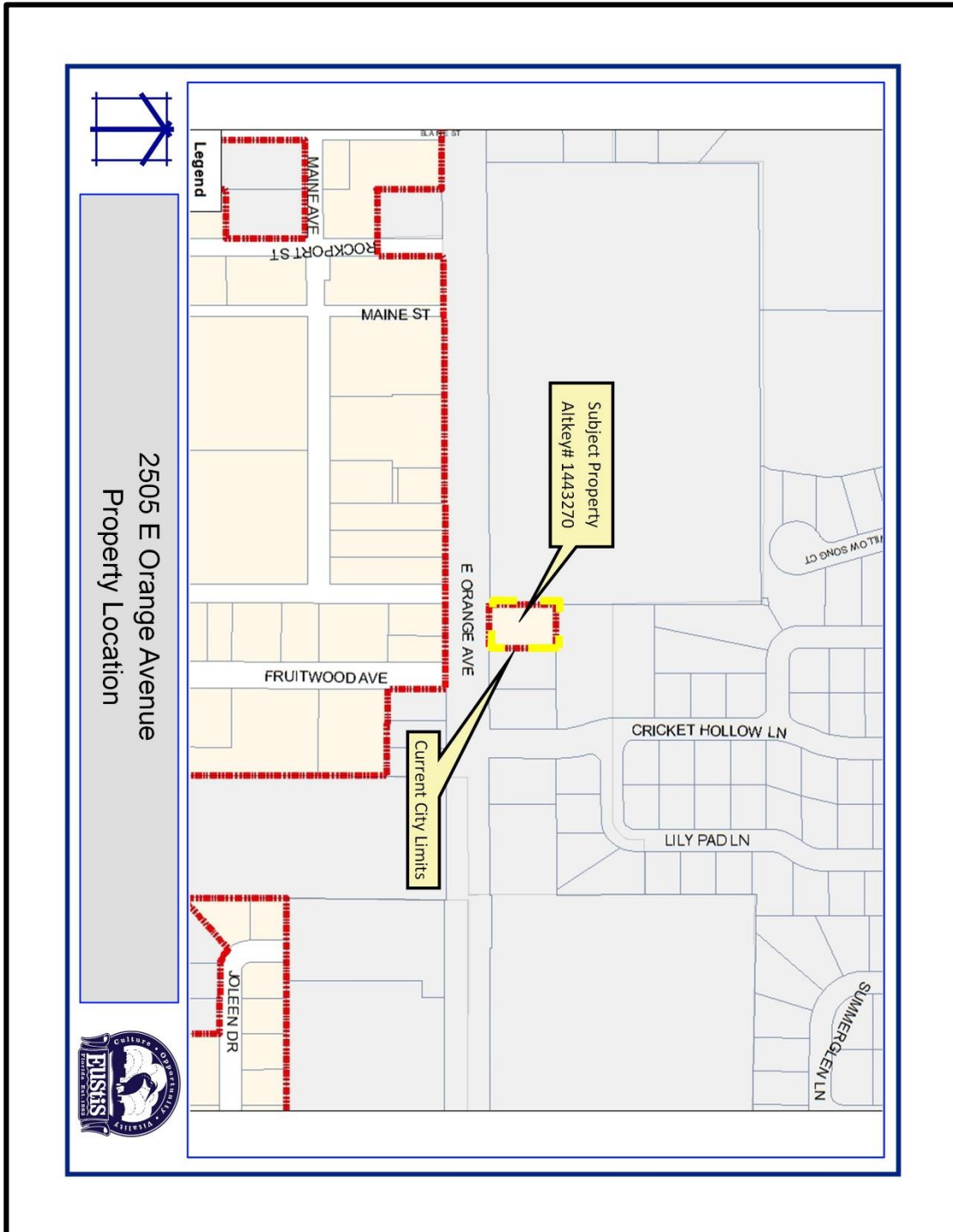
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-35 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A



ORDINANCE NUMBER 24-36

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 0.34 ACRES OF REAL PROPERTY AT 2505 E ORANGE AVENUE, ALTERNATE KEY NUMBER 1443270, ON E ORANGE AVENUE AND CRICKETT HOLLOW LANE. NORTH SIDE OF E ORANGE AVENUE FROM URBAN MEDIUM IN LAKE COUNTY TO RESIDENTIAL/OFFICE TRANSITIONAL IN THE CITY OF EUSTIS.

WHEREAS, on November 4, 2010, the Eustis City Commission adopted the City of Eustis Comprehensive Plan 2010-2035 through Ordinance Number 10-11; and

WHEREAS, State of Florida Department of Community Affairs found the City of Eustis Comprehensive Plan 2010-2035 In Compliance pursuant to Sections 163.3184, 163.3187, and 163.3189 Florida Statutes; and

WHEREAS, the City of Eustis periodically amends its Comprehensive Plan, in accordance with Chapter 163.3187 and 163.3191, Florida Statutes; and

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 0.34 acres of real property at Lake County Property Appraiser’s Alternate Key Number 1443270, on E Orange Avenue and Crickett Hollow Lane, north side of E Orange Avenue, and more particularly described herein; and

WHEREAS, on October 17, 2024, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on October 17, 2024, the City Commission held the 1st Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation; and

WHEREAS, on November 7, 2024, the City Commission held the 2nd Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in designation;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

SECTION 1.

Land Use Designation: That the Future Land Use Designation of the real property as described below shall be changed from Urban Medium in Lake County to Residential/Office Transitional within the City of Eustis:

Alternate Key Number: 1443270

Parcel Number: 07-19-27-0002-000-03100

Legal Description:

BEG INTERSECTION OF W LINE OF SEC WITH N LINE HWY 44, RUN N 150 FT, E 100 FT, S 150 FT, W 100 FT TO POB ORB 1272 PG 1383

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

SECTION 2.

Map Amendment and Notification: That the Director of Development Services shall be authorized to amend the Future Land Use Map of the Comprehensive Plan to incorporate the change described in Section 1 and provide appropriate notification, in accordance with Florida Statutes.

SECTION 3.

Conflict: That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 4.

Severability: That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 5.

Effective Date: The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the Florida Department of Commerce notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the Department of Commerce or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Commerce.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this _____ day of _____, 2024.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7th day of November, 2024, by Michael L Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission but I have not performed an independent title examination as to the accuracy of the legal description.

City Attorney's Office

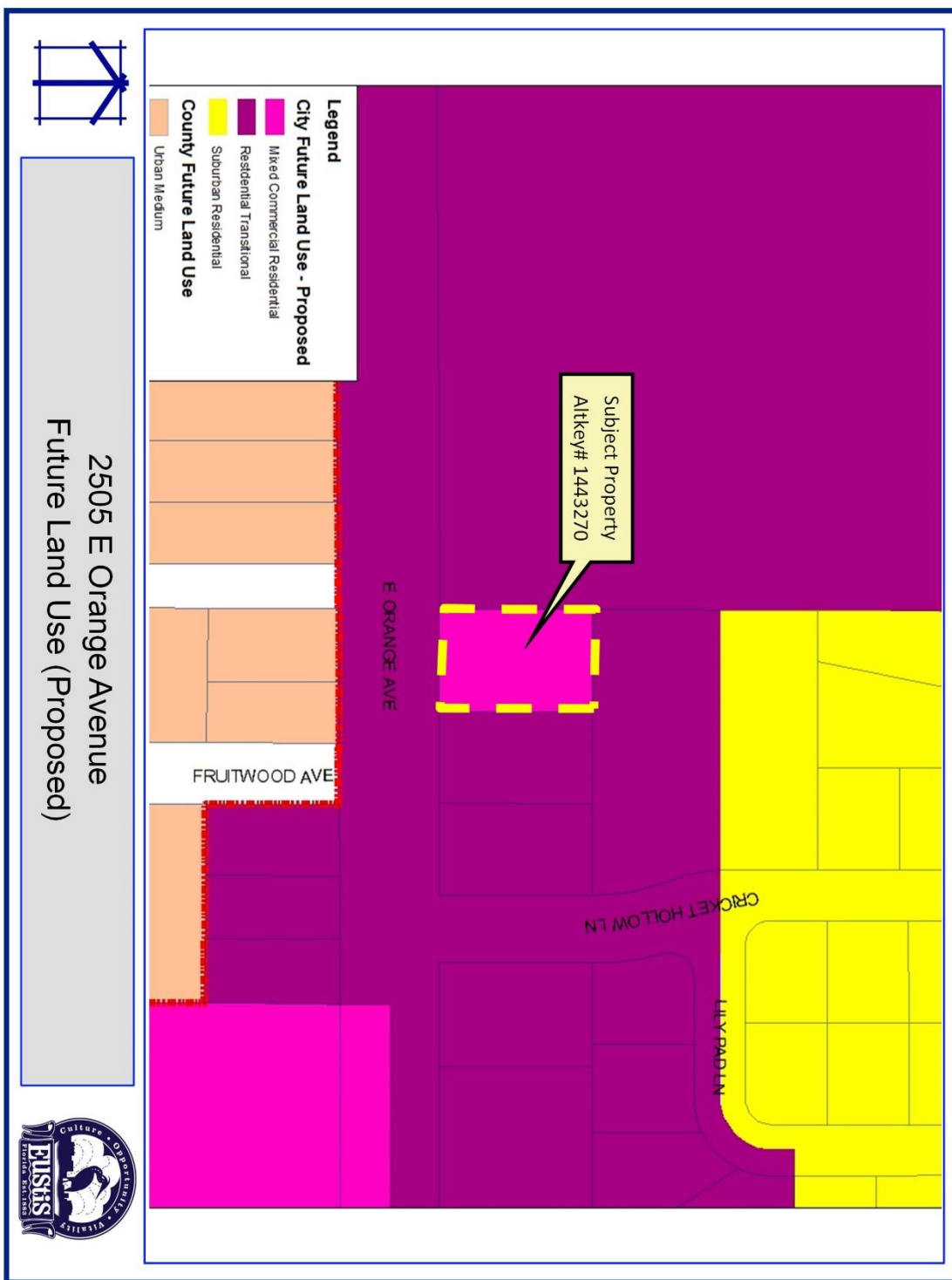
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-36 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A



ORDINANCE NUMBER 24-37

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN NEIGHBORHOOD DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 0.34 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1443270, ON EORANGE AVENUE AND CRICKETT HOLLOW LANE, NORTH OF E ORANGE AVENUE.

WHEREAS, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance Number 09-33 to assign a Design District designation of Suburban Corridor to approximately 0.34 acres of recently annexed real property further described below, and;

WHEREAS, on October 3, 2024, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, on October 17, 2024, the City Commission held the 2nd Public Hearing to consider the adoption of the Design District Amendment contained herein;

NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:

Section 1. Design District Designation

That the Design District Designation of the real property described below and shown on Exhibit A shall be Suburban Neighborhood:

Alternate Key Number: 1734193
Parcel Number: 12-19-26-4100-004-00400

Legal Description:
RICHARD'S ADD LOT 4, LOT 5--LESS S 20 FT--BLK 4 PB 1 PG 36 ORB 2766 PG 1792

(The foregoing legal description was copied directly from Lake County Property Appraiser records submitted by the applicant and has not been verified for accuracy)

Section 2. Map Amendment

That the Director of Development Services shall be authorized to amend the Design District Map to incorporate the change described in Section 1.

Section 3. Conflict

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 4. Severability

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to

be unconstitutional or invalid.

Section 5. Effective Date

That this Ordinance shall become effective upon annexation of the subject property through approval of Ordinance Number 24-37.

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 7th day of November, 2024.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 7th day of November 2024, by Michael L Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the Eustis City Commission, but I have not performed an independent title examination as to the accuracy of the legal description.

City Attorney's Office

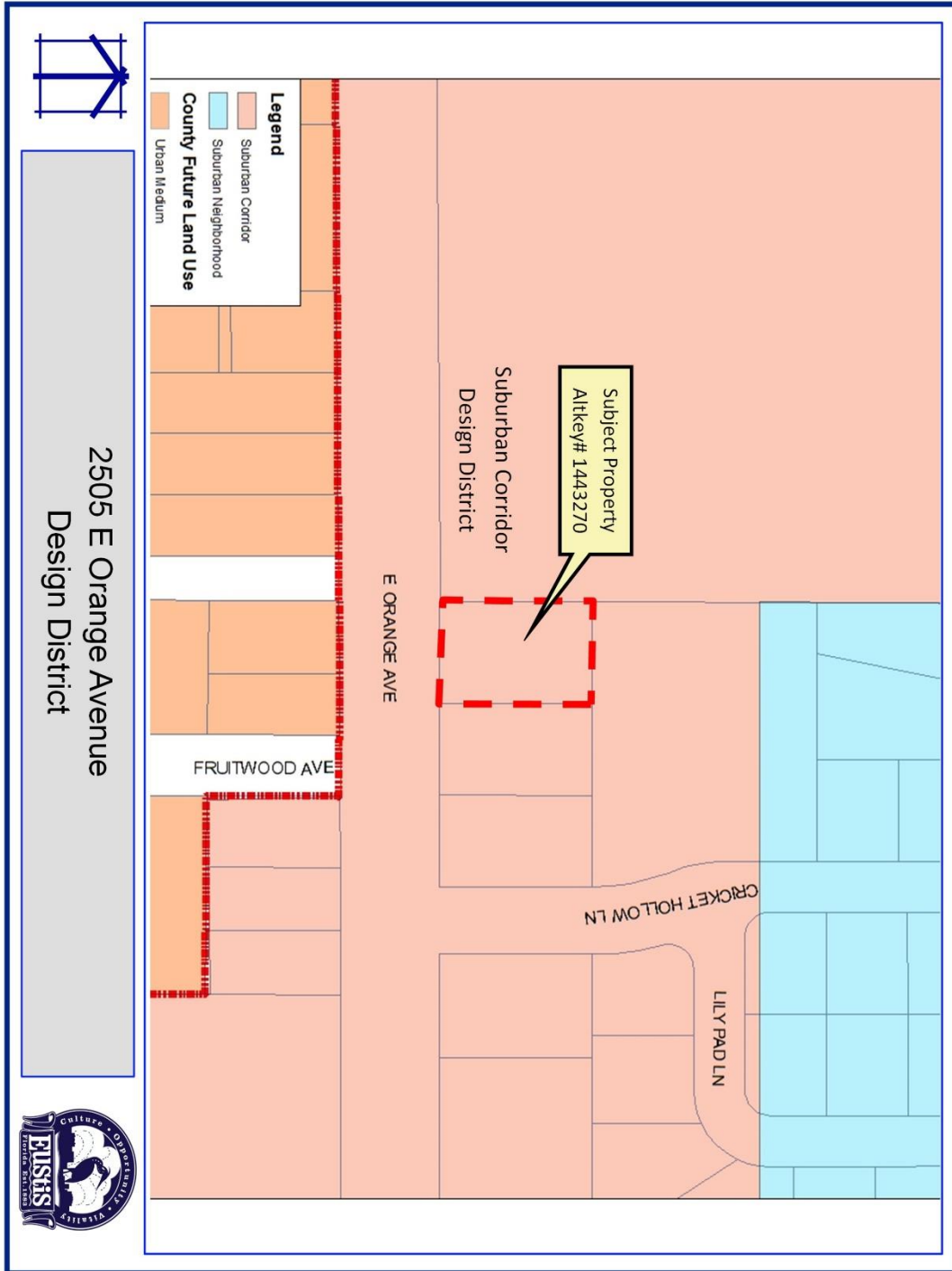
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-37 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

Exhibit A





City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

To: Eustis City Commission

From: Tom Carrino, City Manager

Date: October 17, 2024

Re: Discussion on Reconsideration of Resolution Number 24-41:
Approving a Site Plan with Waivers for a Self-Storage Facility at
David Walker Drive and Huffstetler Drive (Alternate Key Number
3853069)

Introduction:

On August 1, 2024, the City Commission voted 3 to 1 to deny Resolution Number 24-41: Approving a Site Plan with Waivers for a Self-Storage Facility at David Walker Drive and Huffstetler Drive (Alternate Key Number 3853069).

The developer has submitted his responses related to the visibility triangle concern, added an additional access point from within the shopping plaza, and provided evidence that there is a cross access agreement with the shopping center property.

Recommended Action:

The City Manager supports a discussion reconsidering the resolution per the City Commission Rules of Order.

Background:

On August 1, 2024, the City Commission voted 3 to 1 to deny Resolution Number 24-41: Approving a Site Plan with Waivers for a Self-Storage Facility at David Walker Drive and Huffstetler Drive (Alternate Key Number 3853069). The City has subsequently received updated information showing the visibility triangle at the David Walker Drive and Huffstetler Drive intersection indicating that there will not be a negative impact from this proposed development. Additionally, the developer provided the cross-easement agreement with the shopping center and the revised site plan showing an additional access into the shopping center's parking lot. The developer has requested that the Eustis City Commission discuss a reconsideration of the approval of the Site Plan with Waivers for the Self-Storage Facility at the October 17th City Commission meeting.

Per the City Commission Rules of Order (Attached):

Section 10(e) states: *"No item shall be placed on an agenda which is substantially similar to an item voted upon by the Commission within the last nine months unless three or more Commissioners agree. During other business at a regular Commission meeting, the Commission shall discuss and vote on whether such an agenda item*

should be formally reconsidered by the Commission on a future agenda."

Based on the applicant's continued interest in moving forward, the revised site plan, cross-access agreement, and the provision in the City Commission Rules of Order, the City Manager feels it is appropriate to place a discussion item on the agenda for October 17, 2024.

Prepared by:

Tom Carrino, City Manager

Attachments:

Resolution Number 19-49 and City Commission Rules of Order

RESOLUTION NO. 19-49

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, RESCINDING AND REPLACING RESOLUTION NO. 15-44 IN ITS ENTIRETY AND ADOPTING RULES OF ORDER FOR CITY COMMISSION MEETINGS; PROVIDING FOR THE REPEAL OF ALL OTHER CONFLICTING RESOLUTIONS OR POLICIES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Eustis believes that it is in the best interest of the Commission, staff, and citizens of Eustis to provide clear direction for the conduct of City Commission meetings; and

WHEREAS, the City Commission has determined the need to formalize the process to be utilized for the appointment of an Interim Commissioner and that said process should be incorporated into the Commission’s current Rules of Order;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida, as follows:

- 1) That the City Commission Rules of Order, attached as Exhibit A, and as amended, will serve as guidelines for the effective operation of the business meetings of the City Commission; and
- 2) That any provisions of this Resolution may be suspended for good cause by the affirmative vote of at least three Commissioners and that the good cause shall be stated on the record; and
- 3) That if the City Commission fails to strictly abide by any provision of this Resolution, such failure shall not invalidate action taken by the City Commission or staff; and
- 4) That any Resolutions, parts of Resolutions, or Policies in conflict herewith are hereby repealed; and
- 5) That this Resolution shall take effect upon adoption.

DONE AND RESOLVED this 16th day of May, 2019, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA





 Michael L. Holland
 Mayor/Commissioner

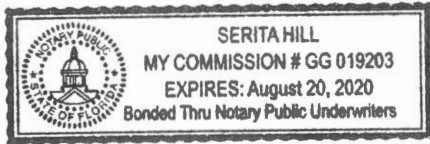
ATTEST:

Mary C. Montez
Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 17th day of May, 2019, by Michael L. Holland, Mayor, and Mary Montez, City Clerk, who are personally known to me.



Serita Hill
Notary Public – State of Florida
My Commission Expires: Aug 20, 2020
Notary Serial No: GG019203

CITY ATTORNEY’S OFFICE

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

[Signature]
City Attorney’s Office

5/16/19
Date

CERTIFICATE OF POSTING

The foregoing Resolution No. 19-49 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Parks & Recreation office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Mary C. Montez
Mary C. Montez, City Clerk

Resolution No. 19-49 Exhibit A**City Commission Rules of Order****1. City Commission Meetings.**

- (a) The regular meetings of the City Commission shall be held at least once each month of the year at the hour of 6:00 p.m. Any regular meeting falling upon a legal holiday or other date in which a majority of the Commission does not wish to hold a meeting shall be cancelled. As stated in the Charter, the City Commission will not meet less frequently than once each month. A scheduled of meetings shall be adopted annually at the organizational meeting in January. The City Manager, assisted by the City Clerk, is responsible for preparing the agendas and the respective ordinances, resolutions, and reports for each meeting.
- (b) The goal of the City Commission is to complete regular business meetings within two hours. In the event a meeting approaches the two hour goal, the Mayor shall confirm the Commission's desire to continue the meeting beyond two hours. The Commission may elect to end the meeting by majority vote and, in that event, the remaining agenda items would then be placed on the next regularly scheduled business meeting agenda unless the Commission directs otherwise.

2. Special Meetings and Notice.

- (a) Special meetings may be called by the Mayor or City Manager provided that at least forty-eight (48) hours written notice be given to the City Manager and City Clerk. The notice shall specify the date, time and place of the special meeting and the business to be transacted. No other business, other than as recited in the notice, shall be transacted at such special meeting.
- (b) The City Clerk shall be responsible for causing the notice to be delivered to each individual Commission Member at least twenty-four (24) hours prior to the meeting, and to give notice in compliance with state and local requirements.

3. Emergency Meetings.

An emergency meeting may be called by the Mayor or City Manager, providing such notice has been provided to the other members of the Commission, the City Manager, the City Clerk, the media and public as is practical under the circumstances. An emergency, necessitating such a meeting, is a perceived immediate threat to the health, safety or welfare of the community and as otherwise defined by Florida law. Emergency meetings shall be subject to the two hour goal the same as regular business meetings.

4. Workshops.

- (a) Workshops may be scheduled by the City Manager or by a majority of Commission Members. Workshops are opportunities for Commissioners to discuss issues and provide policy guidance to staff. The public may comment at workshops provided such comments are limited to three minutes per person. No formal votes may be held at

workshops, but non-binding “straw polls” may be used to express the intentions of the Commission.

Workshops may be held at any time agreeable to Commissioners, but staff will strive to hold workshop seminars at the conclusion of Regular Meetings whenever possible.

- (b) Workshops are required to be properly noticed. The City Clerk shall be responsible for noticing the workshop in accordance with state and local requirements.

5. Quorum.

- (a) A quorum for the transaction of business shall consist of three (3) Commission members.
- (b) If no quorum is present the meeting shall be adjourned and all agenda items will be added to the agenda of the next scheduled meeting.

6. Cancellation of Meeting.

Whenever a commission meeting is cancelled after the agenda for that meeting has been distributed or published, the items on that agenda shall be automatically postponed to the next regular or special regular meeting of the City Commission.

7. Closed Meetings or Sessions.

- (a) All meetings of the City Commission shall be open to the public; provided, however, the City Commission may hold meetings or sessions closed to the public as provided for by state or local regulations.

8. Presiding Officers.

- (a) Whenever the term "Presiding Officer" is used, it shall mean the Mayor, and if the Mayor is absent, it shall apply equally to the Vice-Mayor, and if the Vice-Mayor is also absent, to the temporary presiding officer elected pursuant to this section. For quasi-judicial matters, the City Attorney may serve as the Presiding Officer upon request.
- (b) The Mayor shall preside at all meetings of the Commission.
- (c) During the absence of the Mayor, the Vice-Mayor shall preside at the meetings and study sessions.
- (d) In the absence of the Mayor and the Vice-Mayor, the City Clerk shall call the Commission to order, whereupon a temporary meeting presiding officer shall be elected by the majority vote of Commission Members present as their first order of business. Upon the arrival of the Mayor or the Vice-Mayor, the temporary presiding officer shall relinquish the chair at the conclusion of the item of business then before the Commission.

- (e) The Presiding Officer may move, second, debate, and vote and shall not be deprived of any of the rights and privileges of a Commission Member. The Presiding Officer or such person as he or she may designate may verbally summarize the item to be voted upon immediately after it has been moved and seconded and may restate each question immediately prior to calling for the vote. After a Motion is made and there is a second, the Commission may discuss the matter. A Commissioner may speak only if recognized by the Mayor. The Mayor may close the discussion once the Mayor deems it appropriate and shall then ask the clerk for a Roll Call vote. Following the vote, the Presiding Officer shall announce whether the question carried or was defeated.

If there is no second to a Motion made, the Mayor may note that the Motion died for lack of a second and may request that an alternative Motion be made.

The Presiding Officer shall maintain order and decorum at all meetings. He or she shall decide all questions of order and procedure subject, with the counsel, if necessary, of the City Attorney.

9. Decorum of Members.

- (a) Every member, previous to his or her speaking, shall address the Presiding Officer and shall not begin to speak until recognized and named by the Presiding Officer. He or she shall confine comments to the question under debate and will refrain from impugning the motives of any other member's argument or vote.
- (b) A member, when called to order by the Presiding Officer, shall thereupon discontinue speaking.

10. Presentation of Agenda Items, Revisions, Additions and Deletions.

- (a) In order to facilitate the orderly conduct of business, staff shall prepare an agenda for each Commission meeting. An "agenda" shall consist of an agenda summary sheet listing items to be considered at a meeting.
- (b) Subject to these rules, items of business may be placed on a regular meeting agenda by any Commissioner, the City Manager or the City Attorney. Except as provided in Section 3, Emergency Meetings, staff shall not change the agenda after 5:00 p.m. on the Friday before the Commission meeting; however, supplemental information may be added as necessary.
- (c) When a Commission Member wishes to place an item on the regular meeting agenda, the item shall be presented to the City Manager's office no later than 10 days preceding the Commission meeting so that the information may be included as part of the regular agenda which will be distributed to the members preceding the meeting.

An item may be added to the agenda at a meeting if the majority of the Commission approves, but such items should generally be of a ministerial nature.

- (d) Any agenda item which has been noticed to the public can only be removed from the agenda with the approval of the City Commission. If the Commission agrees to remove an item from the agenda, the Presiding Officer shall first give the public an opportunity to speak on the item.
- (e) No item shall be placed on an agenda which is substantially similar to an item voted upon by the Commission within the last nine months unless three or more Commissioners agree. During other business at a regular Commission meeting, the Commission shall discuss and vote on whether such an agenda item should be formally reconsidered by the Commission on a future agenda.

11. Order of Business.

At any regular or special meeting, the Commission shall proceed to transact the business before it in the following order as applicable on a meeting by meeting basis:

- (1) Invocation
- (2) Pledge of Allegiance;
- (3) Call to order;
- (4) Acknowledgement of quorum present and proper notice given;
- (5) Agenda update;
- (6) Approval of minutes;
- (7) Presentations;
- (8) Audience to be heard;
- (9) Consent Agenda;
- (10) Ordinances, Public Hearings and Quasi-Judicial Hearings;
- (11) Other business;
- (12) Future Agenda Items;
- (13) Comments:
 - (a) City Commission
 - (b) City Manager
 - (c) City Attorney
 - (d) Mayor
- (14) Adjournment.

12. Public Request to Address Commission.

- (a) It is the policy of the Commission to permit and encourage input and comments by members of the public on all matters which may come before the Commission for action other than those items strictly of ministerial nature such as approval of minutes and issuance of ceremonial proclamations. Input and comments by the public can be made during the Audience Participation segment of the meeting or on specific items on the meeting agenda. While input and comments by the public are encouraged, the Commissioners shall not engage in debate with members of the public. Clarifying questions by a Commissioner regarding comments or input by a member of the public are permitted after being acknowledged and given the floor by the Mayor. The presiding officer may limit public comment to three minutes per person.
- (b) No person shall address the Commission without first securing the recognition of the Mayor or Presiding Officer by requesting permission to speak. The normal time allowed for individual comments shall be three minutes, but may be extended by the

Presiding Officer. The Presiding Officer shall strive to provide equal opportunity for individuals to address the Commission at the appropriate times during the meeting. Each person addressing the Commission shall complete a "Request to Speak" card available from the City Clerk which shall include the individual's name, whether or not they are a City resident, the issue upon which they wish to speak and the name of any organization they may be representing. The card shall be submitted to the City Clerk either prior to addressing the Commission or before the end of the meeting.

- (c) Each person desiring to address the Commission shall approach the podium, state his or her name for the record, state the subject, state whom he or she is representing if he or she represents an organization or other persons, and complete their remarks within the normal time limitation unless further time is granted by the Presiding Officer. All remarks shall be addressed to the Commission as a whole and not to any member thereof. Questions asked of Commission Members or City staff shall be rhetorical in nature and not directed to individuals. The Presiding Officer shall ensure that public input and comments are related directly to the agenda item then under discussion. Comments and input during the Audience Participation segment may be on any topic.
- d) Organized groups of individuals may be directed by the Presiding Officer to select a single spokesman to address the Commission on behalf of the group or organization.
- (e) Exemptions from public input
The following are situations which are exempt from the public input requirement:
 - 1) Emergency situations affecting the public health, welfare or safety if compliance with the speaking requirements would cause an unreasonable delay in the Commission's ability to act;
 - 2) When the Commission is acting in a quasi-judicial capacity with respect to the rights or interests of a person at which time the statutory rules for quasi-judicial proceedings shall apply;
 - 3) At any meeting of the Commission which is exempt from the Sunshine or Open Meetings Law (FSS 286.011)

13. Voting.

- (a) When the Clerk has commenced to call roll of the Commission for the taking of a vote, all debate on the question before the Commission shall be deemed concluded. During the taking of the vote a member shall be permitted to briefly explain his or her vote and shall respond to the calling of his or her name by the Clerk by answering "Aye" or "Nay" as the case may be.
- (b) The Clerk shall call the roll alphabetically by last name on a rotating basis so that every Commission Member shall have the opportunity to speak first on an issue at one time or another, provided the Presiding Officer shall always be the last to voice his or her vote. The list shall be rotated at each regular meeting of the Commission.
- (c) Unless otherwise specified by these rules, all ordinances, resolutions or motions shall be passed by the affirmative vote of no less than a majority of Commission Members present.
- (d) A roll call vote shall be required for the following:

- (1) All resolutions.
 - (2) All ordinances.
 - (3) All motions to create an office or a position of employment or to spend any money.
- (e) The Presiding Officer may utilize a voice vote for the approval of minutes or other matters where a roll call vote is not required by law; provided, however, that a roll call vote shall be taken upon the timely request of any Commission Member.
 - (f) A vote lacking the required number of affirmative votes shall constitute defeat of a Motion.
 - (g) A Commission Member may change his or her vote only if a timely request to do so is made prior to the announcement of the vote by the Presiding Officer.
 - (h) Unless otherwise provided for by statute, if a Commission Member present has reason to think a conflict of interest may exist on a particular matter, he or she shall, after consultation with the City Attorney, so state the nature of his or her disqualification in the open Commission meeting. A Commission Member who so announces a conflict of interest in any matter may remain seated during the debate or may leave. However, he or she shall not vote or otherwise participate on such matter. A Commission Member stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter. The City Clerk and City Attorney shall assist the disqualified Commissioner in filing the necessary documentation (Form 8B – Memorandum of Voting Conflict) which will then be incorporated into the official minutes of the meeting.
 - (i) Where lack of a quorum occurs during the course of a convened meeting resulting from the temporary absence of a Commission Member, the minutes shall be so noted, and the matter under consideration shall be considered as having been postponed until the next regular meeting. The meeting may continue after the postponement has been announced by the Presiding Officer and the member breaking the quorum has resumed his or her presence, otherwise the Presiding Officer shall declare the meeting adjourned after such announcement.
 - (j) The Presiding Officer should announce the vote upon every matter upon which a vote is taken.
 - (k) On workshops and other matters not requiring a vote, the Commission may take a straw poll of matters not requiring a vote to provide staff with clear direction on what the majority of the Commission desires for future action by staff.

14. General Procedures.

- (a) At the commencement of each meeting, the mayor may, in the mayor's discretion, make any of the following announcements when the mayor calls the meeting to order:
 - (1) Please turn off all cell phones;

- (2) If you are commenting this evening, please fill out a card with your contact information which the City Clerk can provide to you;
 - (3) Should there be any comments, please approach the podium, state your name, whether or not you are a City resident, and direct your comments to the Commission (not individual commissioners or other members of the public); and/or,
 - (4) Observe general rules of decorum and civility (speak one at time, avoid personal attacks, avoid profanity and shouting, speak only to the issue at hand).
- (b) For Legislative Ordinances (not quasi-judicial matters and ordinances), after an ordinance's title is read, the appropriate staff member shall present to the Commission information regarding the proposed action after which the Commission may question the staff further regarding the issue at hand. Once all Commission questions are addressed, the City Attorney shall ask whether any member of the public has any comment. If there is public comment, the Mayor and Commission shall listen to the public comment. The Mayor may limit public comment on legislative ordinances to three minutes. During public comment Commissioners may ask questions of those commenting, but shall not debate the matter with the party commenting. After public comment is closed, the Commission can then discuss the matter in the order recognized by the Mayor. If there is no public comment or after public comment is made, the Mayor may then ask for a Motion from the Commission. After a Motion is made and there is a second, the Commission may further discuss the matter. A Commissioner may speak only if recognized by the Mayor, and the Mayor shall strive to ensure all Commissioners have equal opportunity to speak to each issue. The Mayor may close the discussion once the Mayor deems it appropriate and shall then ask the Clerk for a Roll Call vote.
- If there is no second to a Motion made, the Mayor may note that the Motion died for lack of a second and may request that an alternative Motion be made.
- (c) For quasi-judicial matters, the Commission shall follow the procedures set forth in section 102-25 of the Land Development Regulations.

15. Minutes and Documents.

- (a) Minutes of all regular and special meetings shall be electronically recorded. Such minutes shall be maintained in the office of the City Clerk. The minutes shall reflect:
 - (1) The date, time and place of the meeting or session;
 - (2) The members recorded as either present or absent;
 - (3) A general description of all matters proposed, discussed or decided; and
 - (4) Record of any votes taken.

- (b) A Commission Member may request, through the Presiding Officer, the privilege of having his or her comments or written statement entered into the minutes concerning any matter pending before the Commission.
- (c) Such minutes may be revised at any time by the Clerk to correct spelling, numbering and other such technical defects. Prior to approval, any member may, through the Presiding Officer, request amending or correcting the minutes. If objection is made by any Commission Member to such amendment or correction, a majority vote of the Commission shall be necessary for adoption of the correction or amendment.
- (d) The City Clerk's office is not required to prepare verbatim transcripts or parts of any minutes of City Commission meetings unless the City Commission, by majority vote, directs verbatim transcripts for any parts of any minutes it deems necessary and proper for conduct of internal affairs of the City or when required for closed meetings.
- (e) The Mayor shall sign all ordinances, resolutions and other documents requiring his or her signature. If the Mayor is unavailable to do so, the Vice-Mayor shall be permitted to sign all ordinances, resolutions and other documents requiring the Mayor's signature in his or her absence.

16. Failure to observe procedures.

These rules are adopted to expedite the transaction of the business of the Commission in an orderly fashion and are deemed to be procedural only. The failure to strictly observe such rules by the Commission shall not affect the jurisdiction of the Commission or invalidate any action taken at a meeting that is otherwise held in conformity with law.

17. Disruption of Meetings.

No person shall interrupt, disturb or disrupt any regular or special meeting or study session of the Commission. Upon direction of the Presiding Officer, any such person shall leave the Commission Chambers and the City Hall. Any Commissioner may request that the City Manager provide a uniformed law enforcement officer for any regular or special meeting or study session of the Commission.

18. Amendment of Rules.

These rules may be amended by the affirmative vote of no less than three (3) Commission members.

19. Commission Policies.

- a) The Commission may from time to time consider the adoption of certain written guidelines to provide policy guidance to City staff.
- b) The Commission shall approve such policy guidelines by resolution.
- c) Such guidelines shall constitute general guidance to the City staff and shall not have the force and effect of law, but shall serve as a statement of desired outcome in a particular area or situation.

- d) The members of the City staff charged with implementation or monitoring of a policy once adopted, and in any event the City Manager, shall endeavor to function in accordance with the written guidelines unless circumstances otherwise dictate.
- e) In the event the member of the City staff charged with implementation or monitoring of a policy determines that the policy is no longer feasible or desirable, either in whole or in part, such member shall bring the matter to the attention of the City Manager, who shall make recommendations to the City Commission regarding the matter.
- f) Written policies, once adopted by the City Commission, shall remain in force until rescinded by resolution of the City Commission.

20. Filling of commission vacancies

In the event that a vacancy occurs on the Commission due to resignation, death or other unforeseen circumstance, pursuant to the City Charter, the Commission is tasked with appointing a replacement who shall serve until the next regular election. To facilitate this task, the following procedure is hereby adopted:

- a) Upon declaration of a vacancy by the Mayor, the Commission shall direct the City Clerk to advertise the vacancy and set a deadline for submittal of applications for appointment. At the same time, the Commission shall select a date for a special meeting at which applicants will be interviewed by the Commission and a selection will be made. In the event that an agreement on an interim commissioner cannot be made at that meeting, the Commission has the option of re-opening the application period to receive additional applications.
- b) The qualifications for appointment shall be the same as for a candidate for election to the Commission. Those qualifications are as follows: 1) Applicant must be a registered elector of the city of Eustis; and 2) Applicant must have resided within City limits for no less than one year immediately prior to application. The one year may include the time before and after annexation if the property has been recently annexed into the City.
- c) Process to be used for election of the interim commissioner:
 - 1) The Mayor will open the floor to nominations. Nominations will be accepted until no further nominations are offered.
 - 2) Once it appears that no further nominations are forthcoming, the Mayor will ask for a motion to close the nominations. The motion must be seconded and a roll call vote will be taken.
 - 3) The City Clerk will then conduct a roll call vote on each nominee in alphabetical order. The alphabetical order is intended to negate the possible advantage for whomever was nominated first. If there is a tie between nominees receiving the most votes, a second vote will be taken on only the tied nominees. If there is still a tie after a second vote is taken, the Commission will discuss the applicants and whether to re-open the application period.
- d) Once one nominee has received the majority of the votes, the nominee will be formally appointed via resolution.
- e) Once the resolution has passed, the City Clerk will administer the Oath of Office and the interim commissioner shall assume their seat on the dais.



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: OCTOBER 17, 2024

RE: DISCUSSION OF CRA PRIORITIES

Introduction:

On September 5, 2024, the Eustis City Commission asked to have a CRA priorities discussion on October 17, 2024

Background:

On September 5, 2024, the Eustis City Commission heard presentations from the Eustis Housing Authority and KTE Foundation regarding two community projects. As part of that discussion, the Eustis City Commission decided to schedule a more thorough discussion on CRA priorities.

Related to current finances, estimated recurring revenue for FY 24-25 is \$1,601,251, which includes \$896,578 from the City of Eustis, \$624,673 collectively from Lake County, and \$80,000 in interest. Excluding the Waterman site loan, CRA expenses for FY 24-25 are approximately \$1,300,000. Revenues are estimated to exceed expenses by about \$300,000, and if those funds remain unallocated, they will be reserved for future projects. The estimated funds reserved for future projects at the end of FY 23-24 was \$1,859,784.

Below is a list of current and future CRA projects.

Seawall - \$975,000 - FY 23-24 and 24-25

This is a project to repair cracking and avoid failure of the seawall on Lake Eustis.

Bay Street Drainage - \$145,000 – FY 23-24

The area along Bay Street between Orange Avenue and Magnolia Avenue has historically had flooding issues and insufficient stormwater infrastructure. These funds have been reserved to improve drainage in the area.

Street Rehab - \$50,000 to \$70,000 annually

These funds are budgeted annually to improve roads in the CRA and make possible a higher level of service than outside the CRA.

Sidewalk Rehab - \$45,000 to \$70,000 annually

These funds are budgeted annually to improve sidewalks and plantings in the CRA and make possible a higher level of service than outside the CRA.

Palmetto Plaza Hardscape and Shade Structure - \$469,000 – FY 23-24

This project is a continuation of improvements at Palmetto Plaza to include a shade structure, additional parking, play structures, and other amenities.

Carver Park Basketball Pavilion - \$400,000 – FY 23-24

The pavilion was proposed to protect the outdoor basketball at Carver Park from the elements.

Residential Rehabilitation - \$100,000 - FY 24-25

The CRA has funded residential rehabilitation projects through a program administered by the Lake Community Action Agency. Originally funded at \$250,000, the CRA board supplemented the remaining \$60,000 with an additional \$40,000 in new funding for a FY 24-25 total of \$100,000.

Former Waterman Site Debt Service - \$200,000 annually - \$2,600,000 balloon - FY 24-25

Originally purchased in 2020, the former Waterman site has a balloon payment due at the end of FY 24-25.

Former Waterman Site Redevelopment Project – TBD – Not Budgeted

The redevelopment of the former Waterman site could require an incentive package that may include subsidized land, infrastructure improvements, and/or rebates on incremental property taxes. That package will be dependent on yet-to-be determined factors.

Tour Boat Related Dock Improvements – TBD – Not Budgeted

The City issued a solicitation for tour boat operations in Ferran Park. The respondent to the solicitation is requesting dock and infrastructure improvements that may require an investment by the CRA.

Master Plan Improvements – TBD – Not Budgeted

The Downtown Master Plan is currently being finalized. That plan will outline a number of improvements that will need to be prioritized and budgeted.

Housing Authority Community Building - \$350,000 requested – Not Budgeted

This project has been planned for several years. The formal presentation and request was made on September 5, 2024.

Educational Facility – TBD – Not Budgeted

The Eustis City Commission authorized Vice-Mayor Emily Lee and staff to explore the possibility of an educational facility in the CRA. This has included working with educational partners to determine their facility needs. Staff is working on a Carver Park Master Plan to include this proposed educational facility.

Recreational Facility – TBD – Not Budgeted

The Recreation Department has identified a need for additional facilities City-wide, including Carver Park. Concurrently, Commissioner Hawkins and Sam Brinson have been working with KTE Foundation (an organization affiliated with Keon Ellis) on a facility that includes recreation, professional/personal development, tutoring, and other programming. The Carver Park Master Plan will include options for this facility.

Historically, the City and the CRA have held community meetings and public input opportunities to help in establishing CRA priorities. On January 25, 2022, the CRA Review Committee held a public input meeting at the Curtright Center to solicit input from the community on desired projects and initiatives. That meeting included a brief presentation, a review of existing goals, and solicitation of ideas within that goal framework. Following that effort, all attendees were given five dots to place next to projects and initiatives that they found important. Below are the results of the dot exercise.

Engaging Youth Activities/Youth Low and No Cost Programs/Multi-Use Rec Center	32
Attracting Community Serving Businesses	24
Traffic calming Bates/Clifford/McDonald	22
Aesthetically enhance downtown/mixture of activities/complementary uses	19
Support community development through design standards	15
Further define East Eustis Neighborhood Business District	13
Upgrade, enhance, unify waterfront/expand arts and culture	12
More City-wide events (Palmetto Plaza)	11.5
Street Lighting	11
Education Programs/Workforce/Professional Development	10
Support for Affordable Housing	10
Leverage City and CRA resources to support private investment	9
Establish linkages between downtown and East Eustis neighborhood business district	5
Expand Gateway Grant Program	4
Multipurpose facilities to host local events	3.5
Support a positive police presence	3
More business/showcase events	1
Bates Avenue Streetscape	0
Development of Spec Space and Rent Subsidies	0
Outdoor Market at Palmetto Plaza	0

Staff is seeking direction from the City Commission on projects and priorities moving forward.

Budget and Staffing Impact:

Establishing project and budget priorities will impact the budget moving forward, but it is not possible to estimate those impacts at this time.

Prepared by:

Tom Carrino, City Manager



City of Eustis

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TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: OCTOBER 17, 2024

RE: Follow-Up Discussion On Eustis Housing Authority Community Building

Introduction:

On September 5, 2024, the Eustis City Commission heard a presentation from the Eustis Housing Authority on a proposed Community Building. The Commission asked to schedule a follow-up discussion on the project.

Prepared by:

Tom Carrino, City Manager



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: OCTOBER 17, 2024

RE: PURCHASING THRESHOLD DISCUSSION

Introduction:

Commission has expressed interest in increasing the City’s purchasing thresholds for large and small purchases and for allowing the City Manager authority to pre-approve budgeted items that need to be ordered expeditiously, so as not to lose the opportunity to procure them.

Background:

The City’s Purchasing Ordinance allows all small purchases, \$2,000 and below, to be procured at the department level and everything over \$2,000 is routed to the Purchasing Dept. to obtain competitive quotes and/or to ensure compliance with the City’s Ordinance.

Purchases between \$2,000.01 and \$50,000 require a minimum of 3 competitive quotes, when possible, and must be in accordance with all the requirements set forth in the City Ordinance.

Additionally, all purchases over \$50,000 require a formal sealed solicitation, which is advertised and opened in a public forum at a designated time and place.

On the next page is a spreadsheet that shows the dollar amount at which local entities require Commission approval.

<u>Entity Name:</u>	<u>Formal Bid Threshold:</u>
TAVARES	\$25,000 (w/exceptions possible for sole source, emergencies, etc...)
CLERMONT	\$50,000
LEESBURG	APPROVAL PENDING ON: \$50,000 GENERAL FUND \$75,000 PROPRIETARY FUND
LAKE COUNTY	\$75,000
MOUNT DORA	\$75,000
ORANGE COUNTY	\$100,000
GROVELAND	\$250,000
SUNNY ISLES BEACH	\$50,000
DUNEDIN	\$50,000
ENGLEWOOD	\$35,000
LAUDERHILL	\$60,000
TEMPLE TERRACE	\$50,000
PLANTATION	\$35,000

There are exemptions for purchases that are spelled out in the ordinance that allow us to waive the 3 quote or formal sealed solicitation requirement. Some of these exemptions include legal services, state contract purchases, used equipment, sole source purchases, etc. However, the formal solicitation threshold, which requires Commission approval still stands, regardless of the procurement method.

In addition to reviewing purchasing thresholds, the Commission also asked staff to present options for a pre-approval process for purchases that meet specific criteria. Below is an example of ordinance wording for City Manager pre-approval:

“The City Commission may authorize the waiver of procurement procedures upon the recommendation of the City Manager, or designee, when it is in the City’s best interest to do so to obtain goods and services which cannot be acquired through the normal purchasing

process due to insufficient time, the nature of the goods or services, or other factors, under the circumstances and only after a good faith review of all available sources and negotiation as to price, delivery and terms of said good or service. The formal approval for the pre-approved good or service will be brought before the Commission as soon as possible.”

Item 7.4

Recommended Action:

Discuss the Commissioner's desire to increase the thresholds and to allow the City Manager pre-approval authority, with the stipulation that the purchases are brought before the Commission for approval as soon as possible thereafter.

Prepared by:

Tracy Jeanes, Purchasing Director & Contracts Manager

Reviewed by:

Lori Carr, Finance Director



City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

To: Eustis City Commission
 From: Tom Carrino, City Manager
 Date: October 17, 2024
 Re: City Manager's Annual Evaluation

Introduction:

Annually, the City Commission is required to review the performance of the City Manager. Some of the City Commissioners have met individually with the City Manager to provide input on his performance over the past year and additional comments are expected to be made at the City Commission meeting on October 17, 2024.

In accordance with the City Manager's contract, the salary of the City Manager may be increased from time to time by majority vote of the City Commission. This discussion is usually conducted during the City Manager's performance evaluation. For your information, effective October 1, 2024, all City employees that met or exceeded performance standards were approved for a five percent wage increase, plus an annual increase of \$1,000. This wage increase is not automatically given to the City Manager.

The City Manager's current annual salary is \$179,080.00. If the City Commission were to provide the City Manager with the same increases given to other employees, his salary would increase to \$189,034.00.

Effective October 1, 2024, the salaries for area City Managers are listed below:

Clermont- \$196,560
 Leesburg- \$239,661
 Mount Dora- \$183,195
 Tavares- \$213,740

Recommended Action:

It is recommended the City Commission discuss the performance of the City Manager and determine if performance goals or objectives should be revised for the next evaluation period.

Budget/Staff Impact:

The cost of any salary increase would be based on the decision of the Commission. There is no impact on staff other than processing any change in compensation approved by the Commission.

Prepared By:

Karen Crouch, Human Resources Director