



AGENDA

City Commission Meeting

6:00 PM – Thursday, June 20, 2024 – City Hall

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: COMMISSIONER GARY ASHCRAFT

CALL TO ORDER

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

2.1 Approval of Minutes

June 6, 2024 City Commission Meeting

3. PRESENTATIONS

3.1 Presentation on G3C2

4. AUDIENCE TO BE HEARD

5. CONSENT AGENDA

5.1 Resolution Number 24-45: School Resource Officers SY 2024-2025

5.2 Resolution Number 24-50: Purchase in Excess of \$50,000 for Event Sound & Lighting

5.3 Resolution Number 24-51: A Resolution Providing Notice of a Pending Live Local Act Ordinance

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 Resolution Number 24-49: Johnson's Point Townhomes Subdivision Final Plat (Alternate Key Number 2857340)

7. FUTURE AGENDA ITEMS AND COMMENTS

7.1 City Commission

7.2 City Manager

7.3 City Attorney

7.4 Mayor

8. 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.

“Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission and the public. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.”



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: June 6, 2024

RE: Approval of Minutes

June 6, 2024 City Commission Meeting

Introduction:

This item is for consideration of the minutes of the June 6, 2024 City Commission Meeting.

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, June 06, 2024 – City Hall

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: VICE MAYOR EMILY LEE

CALL TO ORDER: 6:02 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

PRESENT: Vice Mayor Emily Lee, Commissioner Nan Cobb, Commissioner Willie Hawkins and Mayor Michael Holland

ABSENT: Commissioner Gary Ashcraft

1. AGENDA UPDATE: None

2. APPROVAL OF MINUTES

2.1 May 16, 2024 City Commission Meeting

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

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

3. PRESENTATIONS

3.1 Presentation by Continental Strategy

Ashley Spicola, Continental Strategy, provided a report on the recent legislative session. She cited the Coolidge Street and the Bates Avenue projects. She indicated that the Bates Avenue project also qualifies for a grant program and stated that the City can meet with the Department of Environmental Protection to insure the City completes the application properly. She noted she is from Eustis.

Mayor Holland commented on the benefits to the City by contracting with their company as lobbyists for the City.

Commissioner Cobb asked if the Bates Avenue project is pulled from the State budget if that money could be applied to the Coolidge Street project with Ms. Spicola responding that they could apply next year to finish that project. She added they could also discuss with DEP for any other funding opportunities for that project.

4. AUDIENCE TO BE HEARD

Tricia Nicholson, Director of Operations for Lake County Pride, explained they sent a request to the City as well as other County cities to issue a proclamation designating June as Pride Month. She noted that Mount Dora began doing the designation in 2022, Leesburg in 2023 and Lady Lake in 2024. She further explained their request and cited their activities within the City.

Danielle Olivani, Mount Dora resident, expressed support for the June as Pride Month proclamation and explained what it represents.

Erin Lariviere, Tavares resident, also expressed support for the City recognizing Pride month.

Mayor Holland explained that the City has a Governance Guide which addresses when the City issues a proclamation. He asked to poll the Commission to see if there was support for doing a Pride month proclamation.

Commissioner Cobb recommended that the City review the Governance Guide.

At Mayor Holland's request, City Clerk Christine Halloran read Protocol #23 of the Governance Guide pertaining to the issuance of proclamations.

CONSENSUS: It was a consensus of the Commission that the issuance of a Pride month proclamation did not meet the criteria within the Governance Guide.

Mayor Holland indicated that the Commission could review the Governance Guide in the future.

5. CONSENT AGENDA

5.1 Resolution Number 24-44: Speed Enforcement Grant from FDOT for overtime and motorcycle radar reimbursement

5.2 Resolution Number 24-46: Audit Services Extension

5.3 Resolution Number 24-48: Approving a Purchase in Excess of \$50,000 for Professional Services to Design the Replacement of a Section of Water Main Along Lakeshore Drive and Citrus Avenue

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

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

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 SECOND READING

Ordinance Numbers 24-22, 24-23, and 24-24: Explanation of Ordinances for Annexation of Parcels with Alternate Key Numbers 1428360 and 1428386.

- Ordinance Number 24-22: Voluntary Annexation
- Ordinance Number 24-23: Comprehensive Plan Amendment
- Ordinance Number 24-24: Design District Assignment

Sasha Garcia, City Attorney, read Ordinance Number 24-22 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 3.03 acres of real properties at Alternate Key Numbers 1428360 and 1428386, on 1436 Pine Grove Rd. and 1451 Pine Grove Rd.

Attorney Garcia opened the public hearing at 6:17 p.m. There being no public comment, the hearing was closed at 6:17 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Cobb, to adopt Ordinance 24-22 on final reading. Motion passed on the following vote:

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

6.2 SECOND READING

Ordinance Number 24-23: Assignment of Future Land Use for recently annexed Parcels with Alternate Keys 1428360 and 1428386

Attorney Garcia read Ordinance Number 24-23 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 3.03 acres of real properties at Alternate Key Numbers 1428360 and 1428386, on 1436 Pine Grove Rd and 1451 Pine Grove Rd. from Urban Low in Lake County to General Industrial in the City of Eustis.

Attorney Garcia opened the public hearing at 6:18 p.m. There being no public comment, the hearing was closed at 6:18 p.m.

Motion made by Commissioner Cobb, Seconded by Vice Mayor Lee, to adopt Ordinance 24-23 on final reading. Motion passed on the following vote:

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

6.3 SECOND READING

Ordinance Number 24-24: Assignment of Design District for recently annexed Parcels with Alternate Keys 1428360 and 1428386

Attorney Garcia read Ordinance Number 24-24 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 3.03 acres of real properties at Alternate Key Numbers 1428360 and 1428386, on 1436 Pine Grove Rd. and 1451 Pine Grove Rd.

Attorney Garcia opened the public hearing at 6:19 p.m. There being no public comment, the hearing was closed at 6:19 p.m.

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

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

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

Ordinance Number 24-27: Comprehensive Plan Amendment

Ordinance Number 24-28: Design District Assignment

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 Main Avenue, on the west side of Blaine.

Jeff Richardson, Deputy Development Services Director, reviewed the requested annexation, future land use designation and design district designation for the property located at the intersection of Blaine Street and Maine Avenue, on the west side of Blaine. He reviewed the surrounding land use designations and confirmed the proposed project is compliant with

Chapter 163, the Comprehensive Plan and the City's land use regulations. He confirmed required notices were completed. He provided an overview of staff's evaluation of the request and stated staff's recommendation for approval.

Commissioner Cobb noted the residents should be aware that the project does not meet the 65x120 lot size limit.

The Commission expressed concern regarding whether or not a driveway will be put in. They noted the existing issue with residents on Lake Eustis complaining they cannot get a garbage truck down the road.

Discussion was held regarding the need to update the code to resolve similar issues. It was noted that the subject road is a County road with Public Services Director Rick Gierok indicating the City would require a paved driveway if they were coming off a paved road. He added that he would not have anything in his regulations that would require driveways since it is an unimproved County roadway.

Commissioner Cobb suggested tabling the three ordinances to allow time for the City to work out the problem. She indicated tabling would keep them from having to wait the entire nine months.

Attorney Garcia opened the public hearing at 6:29 p.m. There being no public comment, the hearing was closed at 6:29 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Hawkins, to table Ordinances 24-26, 24-27 and 24-28. Motion to table passed on the following vote:

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

7. FUTURE AGENDA ITEMS AND COMMENTS

7.1 City Commission

Commissioner Cobb commented on semi truck parking in the City. She indicated the City Attorney had provided information to her regarding truck parking and she would review it and then bring it back to the Commission to discuss.

Commissioner Hawkins commented on text messages and photos he had received regarding the roadway north of the City. He requested the City have an additional conversation with the Department of Transportation (DOT). He emphasized how bad the roadway is north of the Winn Dixie shopping center.

Commissioner Cobb expressed agreement and suggested including Rep. Truenow and Secretary John Tyler with Mayor Holland citing the representative they met with in Tallahassee.

Commissioner Hawkins suggested they invite them to a City Commission meeting with discussion regarding lack of response from DOT.

Mr. Carrino explained there had been a complaint regarding line of site issues at a U-turn cut through on SR19 north of the City. Even though it was not the City's responsible, Public Works went out and cleaned it up due to the safety issue. He indicated that the Leesburg DOT office had reached out regarding the MOU agreement for the City to assume maintenance responsibility. He stated there is a basic level of service that DOT needs to accomplish including line of site and safety. He added that the Commission needs to discuss whether or

not they want to assume maintenance of the corridor and that would also be a budget issue. He said the second issue is making sure DOT does some basic level of service.

The Commission discussed the lack of service being provided by DOT with Mr. Carrino indicating they had primarily focused discussions on the cloverleaf; however, the problem is throughout the corridor.

Commissioner Hawkins expressed the desire to drive through Mount Dora and Tavares and see if they're having the same problems.

Tom DiGiacomo, Continental Strategy, stated that the last time he engaged with DOT they indicated people from the local office were contacting the City. He stated he would contact DOT on Monday and requested that Mr. Carrino provide him with the specific location information.

The Commission and Mr. Carrino discussed the proposed Memorandum of Understanding with Mr. Carrino explaining DOT would bring the maintenance up to a certain standard and then the City would take over and would be reimbursed for the cost of the basic level; anything over that would be at the City's expense.

Rick Gierok, Public Works Director, reported he spoke with Phil Maggio in Leesburg who indicated they would probably provide \$200,000 in reimbursement for the area from the cloverleaf to the north side City limits. He stated he contacted the City's contractor who priced it out and provided an estimate of \$500,000. He said that is strictly maintenance and does not include any additional planting.

Further discussion was held regarding lack of maintenance by DOT.

Commissioner Hawkins thanked the Commission for supporting the Eustis Panthers softball team.

Commissioner Cobb reminded the Commission about the grand opening for the Forward Paths homes.

Vice Mayor Lee reported on her tour of the Rafiki School. She asked they be invited to attend a Commission meeting to report on their program and missionary work. She commented on the Panthers softball game.

Commissioner Hawkins noted the City Commission has been asked to participate in the Juneteenth parade in Umatilla on June 15th.

Discussion was held regarding who could attend and how they wanted to participate. Mr. Carrino asked Chief Swanson to have a command vehicle in the parade and the Commission could ride. Mayor Holland asked to also have a police vehicle as well and noted that staff needed to contact Commissioner Ashcraft regarding the event.

7.2 City Manager

Mr. Carrino announced that the July 4th City Commission meeting has been cancelled with Mayor Holland noting that the August 15th meeting would also need to be cancelled due to the League of Cities conference.

Mr. Carrino noted that the budget workshops need to be scheduled. He indicated that Tuesdays and non-Commission Thursdays worked best previously.

Mayor Holland suggested doing several dates in one week with Mr. Carrino suggesting July 9, 10 and 11. It was a consensus of those Commissioners present that those dates would work.

Mr. Carrino then reported that the City's tax base is up 9.5%. He stated that is good news but comparatively it is near the bottom within the county. He added that new construction has nearly doubled since last year. He stated that revenues look good and staff is working on the expenses.

Mr. Carrino noted the Code Enforcement Board would be meeting in the Commission Room on July 8th. He indicated he could ask the Board at their June meeting if they could reschedule their July meeting. He added that the budget workshops would begin at 5:30 p.m. with Mayor Holland indicating that they should probably close at 8:30 p.m.

Commissioner Hawkins commented on previous Commission retreats and expressed support with having conversations with each of the department heads concerning their vision for their department and operations.

Mayor Holland expressed support for meeting with the department heads on a quarterly basis to keep the Commission up to date on what is occurring within the City. He commented on how much is expected of the various departments.

Mr. Carrino reminded the Commission that the Live Local Act workshop would be June 13th. He then indicated that staff has been working with the City's rate consultant and they are now ready to schedule a workshop on their findings.

Following discussion, it was a consensus of the Commission present to tentatively schedule the workshop for July 15th, 16th or 17th with Mr. Carrino to check with the consultant on their availability.

7.3 City Attorney: None

7.4 Mayor

Mayor Holland congratulated the Lady Panthers on their championship. He complimented Miranda Muir and the Events and Tourism staff for their work on the Clifford House. He also complimented Public Works on their work on the site.

8. ADJOURNMENT: 6:55 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



Eustis Police Department

51 E. Norton Ave., Eustis, FL 32726 (352) 483-5400

Road Patrol Division

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager
Craig Capri, Chief of Police

DATE: June 20th, 2024

RE: Resolution Number 24-45: School Resource Officer (SRO) 2024-2025

Introduction:

Resolution Number 24-45 authorizes the Mayor and the Chief of Police to accept and utilize funds in the amount of three hundred and two thousand four hundred and six dollars and fourteen cents (\$302,406.14) for services of the five (5) SROs provided pursuant to the terms of this Agreement. Such compensation shall be invoiced to the SCHOOL BOARD by the LAW ENFORCEMENT AGENCY in equal quarterly installments (September, November, February, and May) commencing on the 1st day of September 2024. Invoices shall be paid by the SCHOOL BOARD within fifteen (15) days of receipt. In the event that The Board of County Commissioners of Lake County, Florida, agrees to pay for any or all of the police officers assigned to the schools pursuant to this Agreement, then the LAW ENFORCEMENT AGENCY agrees that the SCHOOL BOARD may assign its obligation to pay under this section to The Board of County Commissioners of Lake County, Florida. The agreement will strengthen community relations in and around the City of Eustis by allowing Eustis Police Officers to interact with students, parents, school administration, and a host of other people while simply safeguarding our schools within the City.

Recommended Action:

The administration recommends approval of Resolution Number 24-45.

Background:

The School Board of Lake County, Florida has agreements with many municipal police agencies within Lake County, Florida where the Lake County Sheriff's Office does not employ their School Resource Deputies. All the agreements are standard with only the amount being paid by the school board is different due to salary ranges from other municipal agencies.

In previous years, the Eustis Police Department had School Resource Officers in our local schools; however, they were replaced by Lake County Deputies due to funding abilities of the City of Eustis.

A sense of community interaction and trust was lost when City of Eustis Police Officers were removed from the schools. Having Eustis Police Officers in our schools gives us

the ability to earn trust and build positive relationships, while working on strengthening our community.

Community Input:

There has been no specific community input associated with this resolution.

Budget/ Staff Impact:

The SCHOOL BOARD will pay the **City of Eustis** the sum of Three hundred and two thousand four hundred and six dollars and fourteen cents (\$302,406.14) for services of the five (5) SROs provided pursuant to the terms of this Agreement. Such compensation shall be invoiced to the SCHOOL BOARD by the LAW ENFORCEMENT AGENCY in equal quarterly installments (September, November, February, and May) commencing on the 1st day of September 2024. Invoices shall be paid by the SCHOOL BOARD within fifteen (15) days of receipt.

The police department's general fund will be needed to cover any differences for two months' salary.

Prepared By:

Captain Jonathan Fahning, Eustis Police Department

Reviewed By:

Craig A. Capri, Chief of Police

Tom Carrino, City Manager

RESOLUTION NUMBER 24-45

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING AN AGREEMENT WITH THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA, PERTAINING TO THE PROVISION OF SCHOOL RESOURCE OFFICERS FOR 2024-2025.

WHEREAS, it has been shown that the presence of law enforcement personnel, known as School Resource Officers, enhances the safety and security of students on school campuses as well promotes positive relationships between youth and law enforcement; and

WHEREAS, the School Board of Lake County (School Board) is seeking five School Resource Officers (SROs) to interact with students during the regular class schedule and at extra-curricular school activities so as to provide additional security to students, school personnel, the school community and school property; and

WHEREAS, the City of Eustis is willing to place five (5) City of Eustis Police Officers – one each at; Eustis Elementary, Eustis Heights Elementary, Eustis Middle School, Eustis High School Curtright Campus, and Eustis High School Main Campus;

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Eustis that the attached Interlocal Agreement with the School Board of Lake County is hereby approved for a one-year term to begin August 12th, 2024 and run through the last day of school for students in May 2025.

DONE AND RESOLVED this 20th day of June, 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

**AGREEMENT BETWEEN THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA,
AND THE CITY OF EUSTIS, FOR
SCHOOL RESOURCE OFFICER PROGRAM [2024-2025]**

This **AGREEMENT** is entered into by and between the **City of Eustis**, a Florida municipal corporation, hereinafter referred to as “LAW ENFORCEMENT AGENCY” and the **School Board of Lake County, Florida**, a political subdivision of the State of Florida, hereinafter referred to as “SCHOOL BOARD”.

WITNESSETH:

WHEREAS, the SCHOOL BOARD is seeking five (5) School Resource Officers (SROs) to interact with students during the regular class schedule and at extra-curricular school activities so as to provide additional security to students, school personnel, the school community and school property; and

WHEREAS, the LAW ENFORCEMENT AGENCY is willing to place five (5) **City of Eustis** Police Officers at **Eustis Elementary (1), Eustis Heights Elementary (1), Eustis Middle (1), Eustis High – Curtwright Campus (1), Eustis High – Main Campus (1)** for the purpose of carrying out this school program.

NOW, THEREFORE, in and for consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree that the LAW ENFORCEMENT AGENCY will provide five (5) sworn **City of Eustis** Police Officers who are certified pursuant to Section 943.10(1) *Florida Statutes* to the SCHOOL BOARD to act as SROs at the five (5) designated schools under the terms and conditions of this Agreement.

1. Term of Agreement. The term of this Agreement shall be for the next school year, beginning the 12th day of August 2024 through the last day of school for students in May 2025.

2. Compensation. The SCHOOL BOARD will pay the **City of Eustis** an amount equivalent to the exact services rendered for that portion of the salary and benefits of the SRO(s) directly attributable to services performed provided pursuant to the terms of this Agreement. Such compensation shall be invoiced to the SCHOOL BOARD by the LAW ENFORCEMENT AGENCY in monthly installments following the services rendered for the month, commencing on

the 1st day of September 2024 for services rendered beginning August 12, 2024 and continuing on the 1st day of each month thereafter until the term of the contract has expired. Invoices shall be paid by the SCHOOL BOARD within fifteen (15) days of receipt. In the event that The Board of County Commissioners of Lake County, Florida, agrees to pay for any or all of the police officers assigned to the schools pursuant to this Agreement, then the LAW ENFORCEMENT AGENCY agrees that the SCHOOL BOARD may assign its obligation to pay under this section to The Board of County Commissioners of Lake County, Florida.

3. Scope. The LAW ENFORCEMENT AGENCY shall assign an SRO for five (5) designated schools. The SROs shall interact with students and provide security at the five (5) designated schools. In addition, the SROs shall have the duties and responsibilities listed in Exhibit “A” attached hereto.

4. Background Investigations. The LAW ENFORCEMENT AGENCY represents and warrants to the SCHOOL BOARD that the LAW ENFORCEMENT AGENCY has read and is familiar with Sections 1012.32, 1012.465, 1012.467 and 1012.468, *Florida Statutes* regarding background investigations. The LAW ENFORCEMENT AGENCY covenants to comply with all requirements of the above-cited statutes and shall provide SCHOOL BOARD with proof of compliance upon request. The LAW ENFORCEMENT AGENCY agrees, to the extent permitted by law and only to the extent permitted by 768.28, *Florida Statutes*, to indemnify and hold harmless the SCHOOL BOARD, it’s officers, agents and employees from any liability in the form of physical injury, death, or property damage resulting from the LAW ENFORCEMENT AGENCY’s failure to comply with the requirements of this paragraph or Florida Statute Sections, 1012.32, 1012.465, 1012.467 and 1012.468, *Florida Statutes*. Any claim against the LAW ENFORCEMENT AGENCY by the SCHOOL BOARD under the preceding sentence shall not include punitive damages or any interest for the period before judgment. Additionally, the LAW ENFORCEMENT AGENCY shall not be liable pursuant to this indemnity to pay a claim or judgment by any one person which exceeds the sum of \$200,000 or any claim or judgment, or portions thereof, which, when totaled with all other claims or judgments paid by the LAW ENFORCEMENT AGENCY arising out of the incident or occurrence, exceeds the sum of \$300,000. Further, nothing in this paragraph shall be construed as an admission of liability on behalf of the LAW ENFORCEMENT AGENCY.

5. Assignment of Officers. The LAW ENFORCEMENT AGENCY shall determine which SROs will be assigned under this Agreement and will also determine the particular school to which the SROs will be assigned to. The LAW ENFORCEMENT AGENCY shall provide a notice of the assigned SROs to the school principals of the five (5) designated schools. In the event that the principal of the school where the SRO is assigned believes that the particular SRO is not effectively performing his/her duties and responsibilities, the Principal shall notify the SCHOOL BOARD's Director of Safety and Security in writing. If the situation is not corrected within three (3) working days, the SCHOOL BOARD's Director of Safety and Security shall contact the SRO's immediate supervisor and the Superintendent in writing and provide a copy of said notice to each of them. If the situation is not resolved to the mutual satisfaction of the SRO's immediate supervisor the SCHOOL BOARD's Director of Safety and Security and the Superintendent within ten (10) days, or if, during the same contract period, the Principal determines for a second time that the SRO is not effectively performing his/her duties and responsibilities, then the Principal shall recommend to the SCHOOL BOARD's Director of Safety and Security and Superintendent that the SRO be removed from the program at his/her school, and shall state the reasons as well as the efforts to resolve the problems in writing. The Superintendent, or his/her designee, shall review the request and, if approved, shall provide written notification to the LAW ENFORCEMENT AGENCY who shall transfer the SRO or take other appropriate action within ten (10) business days. In the event the Principal considers the SRO's conduct to present a threat to the safety or well-being of the students or staff, the principal will immediately notify the SCHOOL BOARD's Director of Safety and Security, Superintendent, and the LAW ENFORCEMENT AGENCY. Upon receipt of such notification, the LAW ENFORCEMENT AGENCY shall take appropriate and necessary action.

6. Dismissal/Replacement/Absence. The LAW ENFORCEMENT AGENCY may dismiss or reassign SROs with or without cause. In the event of the resignation, dismissal, or reassignment of an SRO, or in the case of long-term absences by an SRO, the LAW ENFORCEMENT AGENCY shall provide a temporary replacement for the SRO as soon as practical.

7. Leaves/Coverage. The Chief of Police or another designated scheduling officer will approve vacations, sick leaves, and other leaves of absence for the SRO. The SRO will

communicate approved vacation, sick leaves, trainings or any other leave that impacts SRO presence in schools with the SCHOOL BOARD's Director of Safety and Security. LAW ENFORCEMENT AGENCY shall provide coverage of an SRO during any time in which the SRO will be off campus of the school to include, but not be limited to vacations, sick leaves, other leaves of absence, or due to other related assignments.

8. Hours of Assignment. The SROs will be stationed at the five (5) designated schools for eighty (80) hours per two-week period, Monday through Friday, as assigned and scheduled by the respective school Principal and as approved by the LAW ENFORCEMENT AGENCY.

9. Additional Hours of Assignment. Additional hours of assignment during a two-week period may be made with prior approval of the LAW ENFORCEMENT AGENCY, if requested by the respective school Principal. If the additional hours worked requires additional compensation be paid to the SROs, the LAW ENFORCEMENT AGENCY will include this additional compensation on the next monthly invoice to be paid by the SCHOOL BOARD.

10. Off Campus Assignments. Upon the request of the respective school Principal and with the prior approval of the LAW ENFORCEMENT AGENCY, an SRO's duties may occasionally include his/her assignment at school functions and activities that are held off campus.

11. Reassignment in Emergency Situations. Nothing in this Agreement shall prevent or interfere with the ability of the LAW ENFORCEMENT AGENCY to temporarily withdraw an assigned SRO from his/her post at the five (5) designated schools to respond to emergency situations as determined in the sole judgment and discretion of the LAW ENFORCEMENT AGENCY.

12. Supervising Authority. During the term of this Agreement, the SROs assigned shall remain employees of the LAW ENFORCEMENT AGENCY, under the authority of the chain of command of the LAW ENFORCEMENT AGENCY, and subject to all other rules and regulations of the LAW ENFORCEMENT AGENCY. The SROs will report to their respective school Principal for assignment of duties and work schedules, including the extracurricular activities during the regular school day, for up to eighty (80) hours for each officer per two-week period. Each SRO shall remain, at all times, an employee of the LAW ENFORCEMENT AGENCY.

Workers Compensation coverage, as required by law, will be provided for the officer by the LAW ENFORCEMENT AGENCY.

13. Salary and Benefits. The LAW ENFORCEMENT AGENCY will provide the salary and benefits to each SRO assigned, including uniforms and equipment and any applicable overtime pay as agreed to above.

14. Vehicle. The LAW ENFORCEMENT AGENCY will provide vehicles for SROs if or when determined necessary by the LAW ENFORCEMENT AGENCY.

15. Threats to School Safety.

A. Pursuant to Section 1006.13(4), *Florida Statutes*, any acts that pose a threat to school safety, whether committed by a student or adult, shall be reported to the School Principal, or his or her designee, who shall report the acts to the SRO and the SCHOOL BOARD's Director of Safety and Security or SCHOOL BOARD's District Threat Management Coordinator.

B. If requested by the School Principal, or his or her designee, the SRO, or other appropriate law enforcement officers, shall assist in the investigation of the acts that pose a threat to school safety; upon conclusion of the investigation, the SRO shall report the findings of the investigation to the SCHOOL BOARD's Director of Safety and Security, or SCHOOL BOARD's District Threat Management Coordinator to properly document the disposition of the incident. Additionally, the School Principal, or his or her designee, shall consult with SRO concerning appropriate delinquent acts and crimes.

16. Termination of Agreement. This Agreement may be terminated by either party upon thirty (30) days written notice. Notice shall be deemed given as of the date of deposit of such written NOTICE in the course of transmission in the United States Postal Service and addressed as follows:

SCHOOL BOARD:

Superintendent of Schools
School Board of Lake County
201 West Burleigh Boulevard
Tavares, FL 32778

LAW ENFORCEMENT
AGENCY:

Chief of Police
City of Eustis Police Department
51 East Norton Avenue
Eustis, FL 32726

Upon termination pursuant to this subsection, payment will be made by the SCHOOL BOARD or reimbursement made by the LAW ENFORCEMENT AGENCY based on a pro rata charge for services for that portion of the school year covered by this Agreement prior to termination.

17. Entire Agreement. This Agreement embodies the entire agreement and understanding between the parties with respect to the subject matter hereto and supersedes all prior Agreements, representations and understandings either oral, written or otherwise relating thereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the respective dates under each signature.

“SCHOOL BOARD”

**THE SCHOOL BOARD OF LAKE COUNTY,
FLORIDA**

By: _____
Mollie Cunningham, Chairperson

Date: _____

Approved as to form:

Attest: _____
Diane S. Kornegay, Superintendent

School Board Attorney

“LAW ENFORCEMENT AGENCY”

CITY OF EUSTIS, FLORIDA

By: _____
Michael Holland, Mayor

Date: _____

Approved as to form:

Attest: _____
Signature / Title

City of Eustis Attorney

EXHIBIT "A"

In addition to the routine duties and responsibilities of the SROs, the SROs shall have the following specific duties and responsibilities:

1. Each SRO shall at all times perform his/her duties in accordance with City of Eustis Police Department's standard operating procedures.
2. The SRO shall serve as resource instructors providing programs in crime prevention that encourage students to become responsible citizens.
3. The SRO shall also assist the orderly flow of traffic on school grounds.
4. Each SRO shall maintain all law enforcement powers, duties, and responsibilities inclusive of his/her position as City of Eustis Police Officers while assigned to the SRO program.
5. Each SRO shall be responsible to his/her agency in all matters relating to employment; however, activities conducted by the SRO which are part of the regular school instruction program shall be under the direction of the Principal or his/her designee.
6. Each SRO shall be at his/her school during normal school hours of operation and shall utilize the school's computer-based visitor management system to sign in and out to verify attendance. During times that the SRO is unable to be on campus or need to leave campus, those times will be coordinated with the Principal or his/her designee and each SRO's supervisor. The SRO supervisor will assure that the School has a replacement SRO on campus.
7. The SRO shall perform such duties as directed by his/her agency when school is not in session. The Principal or his/her designee shall advise the Officer's supervisor of the school's calendar.
8. The SRO may contact students during school hours in conjunction with a criminal investigation so long as such contact does not interfere with or impede the orderly operation of the school or the rights of the individual students.
9. All student record information will be maintained in accordance with the provisions of Florida Statutes.
10. The SRO shall interface with students between class breaks, during lunch periods, before and after school and at school activities at which the SRO is in attendance. The SRO will not be assigned to a permanent school related duty post so as not to establish predictable patterns.
11. In the interest of maintaining a safe and orderly school environment, student and campus supervision is of critical importance. The SRO shall take a prominent role in supervision responsibilities, which shall be coordinated with and agreed to by the SRO and the designated school Principal. While school is in session, the SRO shall be present on and around the school campus except as permitted in paragraph 6 of this Exhibit A.

12. The SRO shall serve as a referral resource for students, faculty, and parents to community agencies.

13. The SRO shall serve as a Law Enforcement resource to school administration and the District Director of Safety and Security.

14. The SRO shall be familiar and offer support with the plans and strategies for the prevention and control of dangerous situations at the school.

15. The SRO shall be familiar with and shall remain up to date with school safety legislation, specifically Rule 6A-1.0018, F.A.C. and all corresponding Florida Statutes. Accordingly, the SRO shall assist school administration with ensuring compliance with State legislation and District best practices.

16. The SRO, or a designated officer of the LAW ENFORCEMENT AGENCY, shall serve as the mandated sworn law enforcement officer on the School-Based Threat Management Team (SBTMT); and accordingly will complete the required Florida Harm Prevention and Threat Management Model (Florida Model) training in accordance with State Board Rule 6A-1.0018, F.A.C. and §1006.07, Florida Statutes.

17. The SRO and responding LAW ENFORCEMENT AGENCY shall be present and shall actively participate in all active assailant drills, as per State Board Rule 6A-1.0018, F.A.C. [House Bill 1421 (2022)]. The presence of the SRO and each Officer shall be documented in the After Action Report submitted by school administration.

18. The SRO, in accordance with §394.463, Florida Statutes, shall take the lead with or assist District mental health personnel with initiating involuntary examinations for students and staff who meet criteria as defined in Statutes.

19. The SRO will coordinate / consult with the Florida Department of Children and Families (DCF) as necessary to provide necessary support for children and / or families in need.

20. The SRO shall coordinate activities with the school administration and the school guidance department in an effort to identify those students who exhibit indications of early delinquent behavior.

21. The SRO shall attend meetings of school faculty and requested administrative meetings during school hours on a regular basis.

22. The SRO shall not act as a school disciplinarian, as disciplining students is a school responsibility. However, the principal shall contact the SRO for any violations of the law, and the SRO shall determine whether law enforcement action is appropriate.

23. The SRO shall take law enforcement action as necessary and as permitted under Florida law and shall inform the school Principal of such action unless it would impede a criminal

investigation, under such circumstances as practical. The SRO shall take appropriate law enforcement action against intruders and unwanted guests who may appear at the school and related school functions, to the extent that the SRO may do so under the authority of law. Whenever practical, the SRO shall advise the Principal before requesting additional law enforcement assistance on campus.

24. The SRO shall be informed by school personnel of any situation occurring on school grounds that would appear to be a violation of the law of criminal nature.

25. The SRO shall maintain detailed accurate records of his/her activities, and provide a written daily report to the LAW ENFORCEMENT AGENCY who shall provide such information to the Safety and Security Department of the SCHOOL BOARD.

26. The SRO and school administration shall work together to keep each other informed during the course of all criminal investigations as permitted by law and as practical. This provision shall not be interpreted so as to interfere with or impede the SRO's law enforcement duties, obligations, and/or powers.

27. The SRO shall work with school administration when determining whether an arrest should be made, or if there is an alternative solution to the incident which would still be in compliance with Florida law. The final decision on whether arrest is appropriate will lie with the attending SRO or other law enforcement officer on scene at the incident. This provision shall not be interpreted so as to interfere with or impede the SRO's law enforcement duties, obligations, or powers.

28. The SRO shall affect a physical arrest for felonies committed on school grounds, particularly those that are "Zero Tolerance", as permitted by law.

29. The SRO shall give assistance to other law enforcement officers and government agencies in matters regarding his/her school assignment, whenever necessary.

30. The parties shall comply with the provisions of the Family Educational Rights and Privacy Act ("FERPA").



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: June 20, 2024

RE: Resolution Number 24-50: Purchase in Excess of \$50,000 for Event Sound & Lighting

Introduction:

Resolution Number 24-50 approves a purchase in excess of \$50,000 for event sound and lighting as well as a revamped Ferran Park sound system.

Background:

The Events Department has received feedback regarding the quality of our Ferran Park sound system on numerous occasions. Unfortunately, when we do not have a professional sound engineer and equipment on site, the events can be difficult to hear and understand. In an effort to improve this we sought advice to not only improve the overall quality, but to ensure the system is user friendly. Smaller events do not require a professional on site, but need adequate sound to ensure a quality product is provided.

Additionally, in the spirit of improving and upgrading our annual events, our team is committed to providing higher caliber entertainment for our 2024 Hometown Celebration. Traditionally a local cover band has been a part of this celebration. However, this year we will have 5 Time Las Vegas Entertainer of the Year Frankie Moreno on the bandshell stage. With over 6,000 individuals historically in attendance, we are excited to provide world class entertainment for all to enjoy. With great weather, we plan to increase attendance to over 7,500.

The team at Go-Backline has provided top-notch sound for our annual Georgefest Celebration for several years. In 2024, after a formal bidding process, we entered into a 3-year agreement with the company. Their experience on the unique bandshell coupled with their warehouse of equipment nearby ensures that an equipment failure never stops the show. The agreement with Go-Backline for Georgefest totaled \$43,500.

Go-Backline staff, who have been on-site for both our Georgefest celebration and Light Up Eustis, have put together a plan to improve and streamline the public address system in Ferran Park. This plan will not only make the use of the overhead speakers user friendly, but will additionally give us a quick microphone system for use on stage. During smaller events when it is not necessary to have an extensive sound package and accompanying engineers, our team will be able to efficiently set up a microphone connected to both bandshell speakers and the public address system. This custom fabricated system will address current concerns and blackouts we have experienced on multiple occasions. The cost of this system is \$14,614.97.

Go-Backline will also provide a sound, backline, and lighting package for our upcoming Hometown Celebration. The team at Go-Backline has been instrumental in assisting with entertainment selection as they assist with reviewing group requirements prior to any offers being offered. They have provided cost estimates and professional advice regarding the feasibility of hosting acts and quality expected on the historic bandshell stage. The show on July 5 will include an 8-piece band. As the group is flying in, Go-Backline will also be providing the backline for the group. The cost of this event is \$14,906.25.

The original contract (\$43,500) plus the cost of these two additional services (\$14,614.97 + \$14,906.25 = \$29,521.22) will now total \$73,021.22, which is over the \$50,000 administrative purchase threshold.

Recommended Action:

The Events & Tourism Department recommends proceeding with the Ferran Park upgrade and the professional support at the Hometown Celebration.

Budget/Staff Impact:

The Events Department has sufficient funds in their annual budget to accommodate the additional Hometown Celebration expense.

City Manager, Tom Carrino, has worked with our Finance Department to confirm available funds for the system upgrades.

Prepared By:

Miranda Muir

Reviewed By:

Tom Carrino

RESOLUTION NUMBER 24-50

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS,
LAKE COUNTY, FLORIDA AUTHORIZING A PURCHASE IN EXCESS
OF \$50,000 FOR EVENT SOUND AND LIGHTING.**

WHEREAS, the City's approved FY 2023-24 Budget includes funding for the purchase of sound and lighting for events; and

WHEREAS, in 2024, following a formal bidding process, the City entered into a three-year agreement with Go-Backline for event related sound and lighting; and

WHEREAS, event related sound and lighting costs along with a new sound system in Ferran Park have put FY2023-2024 purchases over \$50,000. Purchasing Ordinance requires the City Commission to approve any purchase exceeding \$50,000; and

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

WHEREAS, the services and equipment are essential to high-quality events for the enjoyment of Eustis citizens.

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

- (1) The City Manager is hereby authorized to approve a purchase in excess of \$50,000 as well as execute all agreements associated with this purchase; and
- (2) That the Purchasing Director is hereby authorized to complete the transaction in accordance with this resolution.

DONE AND RESOLVED this 20th day of June, 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 this 20th day of June, 2024 by Michael L. Holland, Mayor/Commissioner, 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 24-50 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.

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: June 20, 2024

RE: RESOLUTION 24-51: A resolution of the Eustis City Commission providing notice to the public of a pending Live Local Act Ordinance and directing staff to develop procedures for applicant qualification, compliance certification and other necessary components required to give effect to the legislative purpose of the Live Local Act.

Background: Chapter 2023-17, Laws of Florida, preempts some provisions of local comprehensive plans, zoning and land development regulation provisions for certain mixed-use projects and multi-family projects having at least 40 percent of residential units within a project being affordable housing units for at least a 30-year period. However, it does not articulate how a proposed development is intended to evidence compliance with the affordable housing requirements necessary to benefit from the preemptions afforded under the new law, including prior to issuance of a building permit or certificate of completion, or at any time during the minimum 30-year period provided for in the new law nor does the new law set forth any penalties for non-compliance and such should be required in order to ensure the legislative intent is met.

On October 5, 2023, the City Commission approved Resolution 23-89 providing notice to the public of a pending Live Local Act ordinance with a goal completion date of six (6) months from the date of adoption. Since the City passed Resolution 23-89, further amendments to the Live Local Act were adopted by Governor DeSantis through execution of House Bill 7073 on May 7, 2024 and Senate Bill 328 on May 16, 2024.

The Resolution provides notice to the public and directs staff to develop procedures for applicant qualification, compliance certification and other necessary components required to give effect to the legislative purpose of the Live Local Act. It further directs staff to prepare an ordinance for the City Commission's consideration adopting the Live Local Act and creating, modifying or otherwise amending the City code, land development regulations, and other governing documents as applicable, to require evidence of and ensure compliance with the affordable housing criteria as needed for a development to benefit from the preemptions afforded under the Live Local Act and other land development regulations addressing affordable housing, mixed-use and multi-family projects.

The proposed ordinance is to be considered and adopted within one (1) year of adoption of this Resolution. By adoption of this Resolution, the City Commission is implementing the Pending Ordinance Doctrine which places property owners and developers on notice that changes will be forthcoming and that they should not rely on existing local laws when making development or purchase decisions.

Fiscal Impact:
N/A

Attachment:
Resolution Number 24-51

RESOLUTION NUMBER 24-51

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; PROVIDING NOTICE TO THE PUBLIC OF A PENDING LIVE LOCAL ACT ORDINANCE; DIRECTING STAFF TO DEVELOP PROCEDURES FOR APPLICANT QUALIFICATION, COMPLIANCE CERTIFICATION AND OTHER NECESSARY COMPONENTS FOR QUALIFYING AFFORDABLE HOUSING PROJECTS AND OTHER POTENTIAL LAND DEVELOPMENT REGULATIONS ADDRESSING AFFORDABLE HOUSING, MIXED-USE AND MULTI-FAMILY PROJECTS IMPACTED BY CHAPTER 2023-17, LAWS OF FLORIDA, KNOWN AS THE LIVE LOCAL ACT AND THE SUBSEQUENT AMENDMENTS THERETO ADOPTED BY SENATE BILL 328 AND HOUSE BILL 7073.

WHEREAS, Chapter 2023-17, Laws of Florida, preempts some provisions of local comprehensive plans, zoning and land development regulation provisions for certain mixed-use projects and multi-family projects having at least 40 percent of residential units within a project being affordable housing units for at least a 30-year period; and

WHEREAS, Chapter 2023-17, Laws of Florida, does not articulate how a proposed development is intended to evidence compliance with the affordable housing requirements necessary to benefit from the preemptions afforded under Chapter 2023-17, including prior to issuance of a building permit or certificate of completion, or at any time during the minimum 30 year period provided for in the new law or set forth any penalties for non-compliance and such should be required in order to ensure that the purpose of Chapter 2023-17, Laws of Florida, is achieved; and

WHEREAS, further amendments to the Live Local Act were adopted by Governor DeSantis through execution of House Bill 7073 on May 7, 2024 and Senate Bill 328 on May 16, 2024; and

WHEREAS, staff is directed to develop procedures for applicant qualification, compliance certification and other necessary components required to give effect to the legislative purpose of the Live Local Act; and

WHEREAS, staff is further directed to prepare an ordinance adopting the Live Local Act, creating, modifying or otherwise amending the City code, land development regulations, and other governing documents as applicable, to require evidence of and ensure compliance with the affordable housing criteria as needed for a development to benefit from the preemptions afforded under the Live Local Act and other land development regulations addressing affordable housing, mixed-use and multi-family projects; and

WHEREAS, the City Commission approved Resolution 23-89 on October 5, 2023, providing notice to the public of a pending Live Local Act ordinance with a goal completion

date of six (6) months from the date of adoption. Since October 5, 2023, several amending bills pending before the legislature had passed and were awaiting approval from the Governor which came in May of this year; and

WHEREAS, considering the Live Local Act recent amendments the City's goal is to have such procedures, necessary resolutions and pending Live Local Act ordinance considered and adopted within one (1) year from the effective date of this Resolution; and

WHEREAS, the City Commission wishes to place the public and all parties on notice that the City Commission is considering land development regulation amendments addressing the aforesaid matters; and

WHEREAS, pursuant to the pending legislation doctrine (or pending ordinance doctrine) set forth in Smith v. City of Clearwater, 383 So.2d 681 (Fla. 2d DCA 1980), the City declares and implements the pending ordinance doctrine concerning the zoning and land development regulations governing properties and proposed affordable housing projects, mixed-use projects and multi-family projects located within the city limits; and

WHEREAS, property owners and developers should be aware that provisions of the pending ordinance not yet adopted by the City Commission may be applied to any proposed development and/or development order applications delayed until the adoption and effectiveness of such ordinance; thus, property owners and developers should not rely on existing City Code or Land Development Regulations in making investment and development related decisions; and

WHEREAS, the City Commission, in good faith, determines that this Resolution is in the best interest of the City and its residents and promotes the health, safety and welfare of the public.

NOW, THEREFORE, the Commission of the City of Eustis, Florida hereby ordains that:

Section 1. Legal Findings. The foregoing recitals are hereby adopted as legislative findings of the City Commission and are ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. Staff Directive. City staff is directed to develop procedures for applicant qualification, compliance certification and other necessary components required to give effect to the legislative purpose of the Live Local Act; and staff is further directed to prepare an ordinance for the City Commission's consideration adopting the Live Local Act and creating, modifying or otherwise amending the City code, land development regulations, and other governing documents as applicable, to require evidence of and ensure compliance with the affordable housing criteria as needed for a development to benefit from the preemptions afforded under the Live Local Act and other land development regulations addressing affordable housing, mixed-use and multi-family projects.

Section 3. Implementation of the Pending Legislation Doctrine. The City Commission hereby implements the "pending legislation doctrine" regarding such pending Live Local Act ordinance, and property owners and developers are hereby placed on notice of the same and of the recitals set forth in this Resolution.

Section 4. Effective Date. That this Resolution shall become effective immediately upon passing.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 20th day of June, 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 20th day of June, 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 reliance and use by the Eustis City Commission.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 24-51 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 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: JUNE 20, 2024

RE: Resolution Number 24-49: Johnson's Point Townhomes Subdivision Final Plat (Alternate Key Number 2857340)

Introduction:

Resolution Number 24-49 approves a subdivision plat with waivers for the Johnson's Point Townhomes with 14-lot detached single-family townhome lots on approximately 1.98 acres located on the northwest side of the intersection of County Road 44 and Grand Island Shores Road (Lake County Property Appraisers' Alternate Key Number: 2857340).



Background:

- a. The property under consideration includes seven former lots of the Johnson's Point Subdivision totaling approximately 1.96 acres.
- b. The site contains 7 duplexes on 1.96 acres (7 dwelling units per acre, which is conforming to the UR land use maximum density of 12 dwelling units per acre) that were built in 1999. The proposed subdivision plat will convert these 7 lots to 14 lots so that each unit may be sold off separately as a townhome unit.

- c. The site and surrounding properties land use, design district designations, and existing are shown below in Figures 1, 2 and 3.

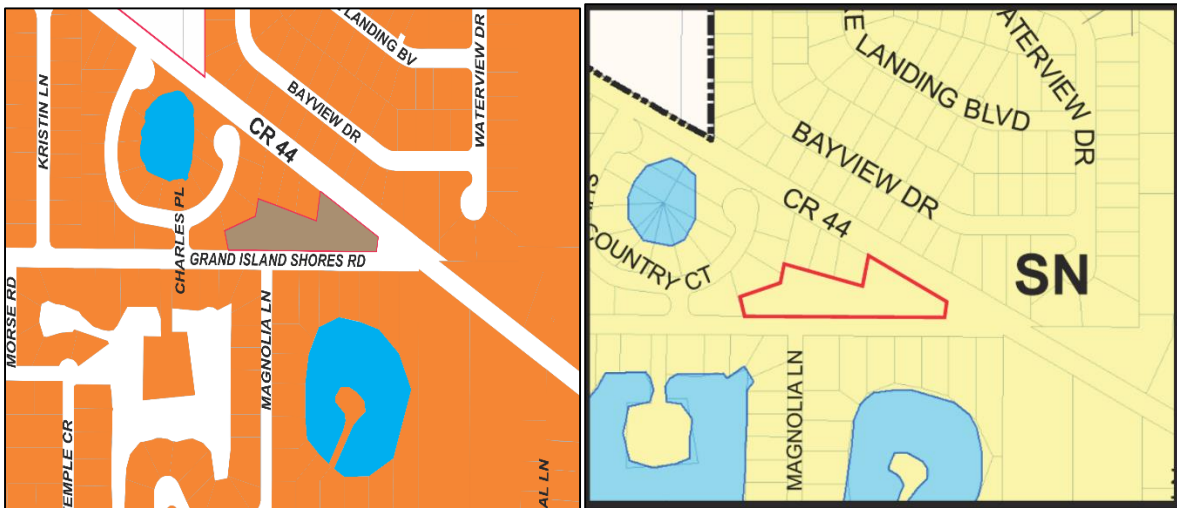
Figure 1: Existing and Surrounding Land Use

	Future Land Use	Existing Use	Design District
Site	SR	Duplexes	Suburban Neighborhood
North	SR	Residential Subdivision	Suburban Neighborhood
South	SR	Residential Subdivision	Suburban Neighborhood
East	SR	Residential Subdivision	Suburban Neighborhood
West	SR	Residential Subdivision	Suburban Neighborhood

Figure 2 and 3: Surrounding Future Land Use and Design Districts

Future Land Use

Design District



Proposed Development:

The proposed development is a 14 townhome lot subdivision but not conforming to the townhouse lot types (due to various widths and depths of each lot). The average minimum lot dimensions will be 47 feet by 124 feet (which is larger than the townhome lot type). Exhibit A shows the subdivision layout and other basic information, including the following development characteristics:

Subdivision Component	Code	Provided
Gross Area	n/a	1.98 acres
Net Area (gross area less wetlands, water bodies)	n/a	1.98 acres
Lot Typology	Townhouse Lot	14 lots, each average 47'

		by 124' except for the lots on the end
Density	12 dwelling units/acre maximum (23 dwelling units max. permitted)	14 units proposed 7 dwelling units/acre
Open Space	25% minimum (0.495 ac)	N/A
Park Space	N/A	N/A
Landscape Buffers	15-24 feet adjacent to public r/w	Waiver is being sought – although the rear parts of each lot do have buffers in place.

Waivers:

Because this subdivision is already developed, the developer is requesting a waiver from the typical townhouse lot type of 22' by 80' or 1,780 square feet for each unit, as well as the waiver of the landscape buffers.

Recommended Action:

Staff recommends approval of the Johnson’s Point Townhome Plat along with the requested waivers. The average lot size of 47 feet wide by 124 feet which is more suitable to the house lot type than the townhouse lot type. In addition, the developer seeks a waiver from the landscape buffer around the subdivision because it is pre-existing, there is already a buffer which exists with the rear adjoining properties.

Policy Implications:

If approved, the City would be showing support for development that meets the codes and ordinances set in place. This would show consistency, fairness, and predictability for future potential development.

If denied, City would be denying something that is meeting all requirements, which would set a precedent for future developers to be unsure of what the City is looking for in applications if they do not approve something meeting the Code.

Community Input:

The City's Land Development Regulations do not require final plats to be posted with a sign nor for the adjacent property owners within 500' to be notified. Staff advertised the plat hearing in the Daily Commercial Newspaper on June 10th so all requirements have been satisfied.

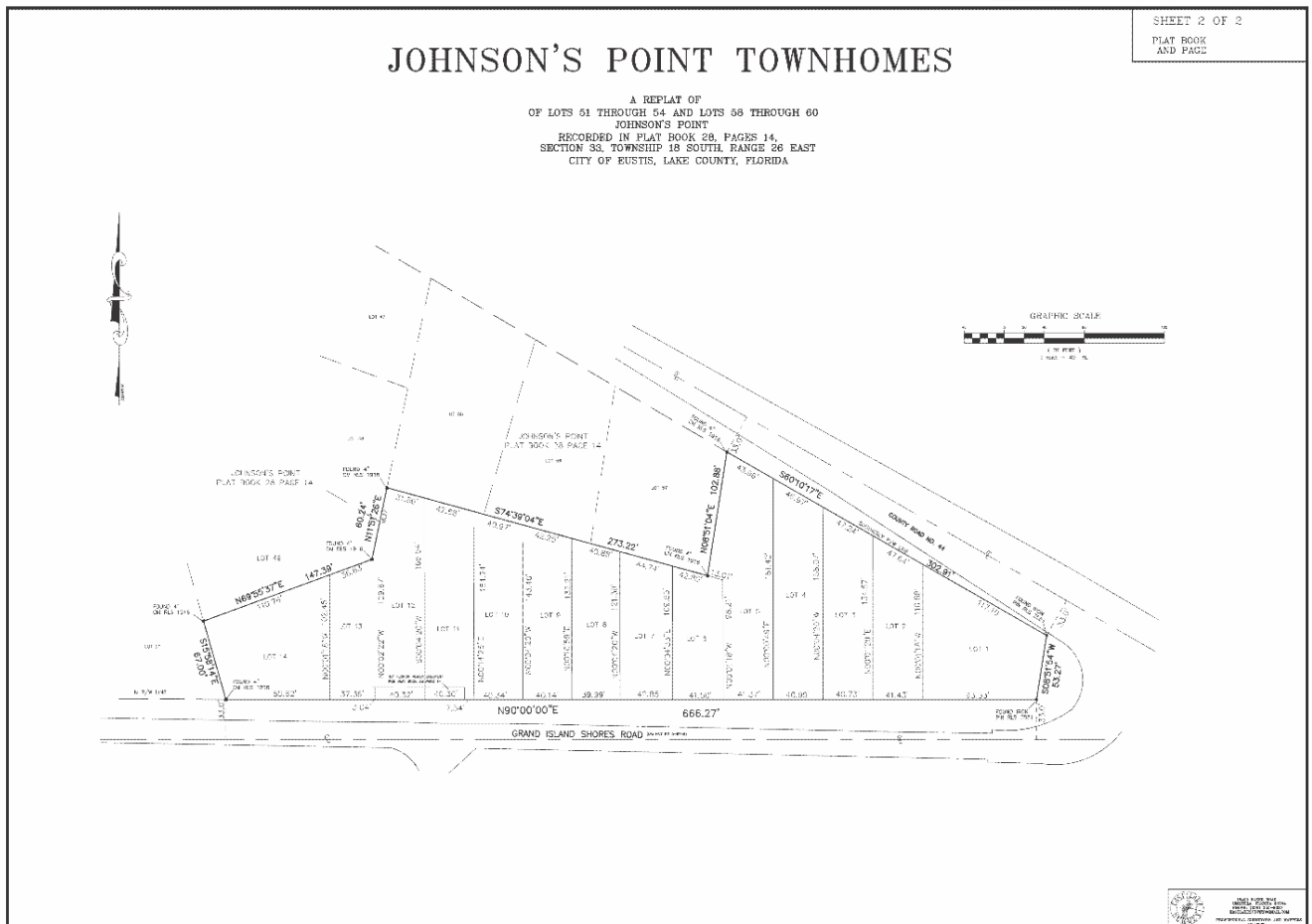
Budget/Staff Impact:

There would be no direct cost to the City associated with the action other than providing standard City services to the development.

Prepared By:

Mike Lane, AICP – Development Services Director

Proposed Johnson's Point Townhomes Subdivision



RESOLUTION NUMBER 24-49

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A FINAL SUBDIVISION PLAT FOR JOHNSON'S POINT TOWNHOMES, A 14-UNIT TOWNHOME SUBDIVISION, ON APPROXIMATELY 1.98 ACRES OF PROPERTY LOCATED AT THE NORTHWEST SIDE OF THE INTERSECTION OF COUNTY ROAD 44 AND GRAND ISLAND SHORES ROAD (ALTERNATE KEY NUMBER 2857340)

WHEREAS, Logan Wilson (applicant), on behalf of JP Townhomes, LLC (owners), has made an application for Final Plat approval for Johnson's Point Townhomes (14 townhome units) on approximately 1.98 acres located on the northwest side of the intersection of County Road 44 and Grand Island Shores Road, more particularly described as follows:

Parcel Alternate Key Numbers: 2857340

Parcel Identification Numbers: 33-18-26-0350-000-05100

LOTS 51, 52, 53, 54, 58, 59 AND 60 JOHNSON'S POINT AS RECORDED IN PLAT BOOK 28, PAGE 14 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 51 JOHNSON'S POINT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 14, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE RUN N.15°58'14" W., ALONG THE WEST LINE OF SAID LOT 51, 67.00 FEET TO THE NORTHWEST THEREOF; THENCE N.11°51'26" E., ALONG THE WEST LINE OF LOT 52 OF SAID JOHNSON'S POINT 60.24 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S.74°39'04" E., ALONG THE NORTH LINE OF LOTS 52, 53 AND 54 OF SAID JOHNSON'S POINT 273.22 FEET TO THE NORTHEAST CORNER OF LOT 54; THENCE N.08°51'54"E., ALONG THE WEST LINE OF LOT 58 OF SAID JOHNSON'S POINT 102.88 FEET TO THE NORTHWEST THEREOF SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 44; THENCE S. 60°10'17" E., ALONG SAID SOUTHERLY RIGHT OF WAY LINE 302.91 FEET TO THE NORTHEAST CORNER OF LOT 60 OF SAID JOHNSON'S POINT; THENCE S. 08°51'54" W., ALONG THE EAST LINE OF SAID LOT 60, 53.27 FEET TO THE SOUTHEAST CORNER THEREOF SAID POINT ALSO BEING OF THE NORTH RIGHT OF WAY OF GRAND ISLAND SHORES ROAD; THENCE RUN WEST ALONG SAID NORTH RIGHT OF WAY LINE 666.27 FEET TO THE POINT OF BEGINNING.

WHEREAS, the property described above has a Land Use Designation of Urban Residential (UR) and a Design District Designation of Suburban Neighborhood (SN); and

WHEREAS, Townhomes at a density of 7 dwelling units per acre or less, are permitted in the Urban Residential (UR) land use designation; and

WHEREAS, the proposed preliminary townhome plat as submitted is generally consistent with the City’s Comprehensive Plan and Land Development Regulations; and

WHEREAS, the City Commission finds that approval of the requested townhome plat is in the best interests of the public health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED BY THE EUSTIS CITY COMMISSION AS FOLLOWS:

SECTION 1. That the Johnson’s Point Townhomes Plat for 14 townhome units located on the northwest side of the intersection of County Road 44 and Grand Island Shores Road, attached hereto as Exhibit “A”, is hereby approved:

SECTION 2. That the Townhomes Plat shall be subject to the owner/developer complying with the following condition:

- a) Recording the approved plat in the Lake County Property Appraiser’s Office within 10 days of City Commission approval.

DONE AND RESOLVED this 20th day of June, 2024 in a 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 6th day of June 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 Eustis City Commission, but I have not performed an independent title examination as to the accuracy of the legal description.

City Attorney's Office

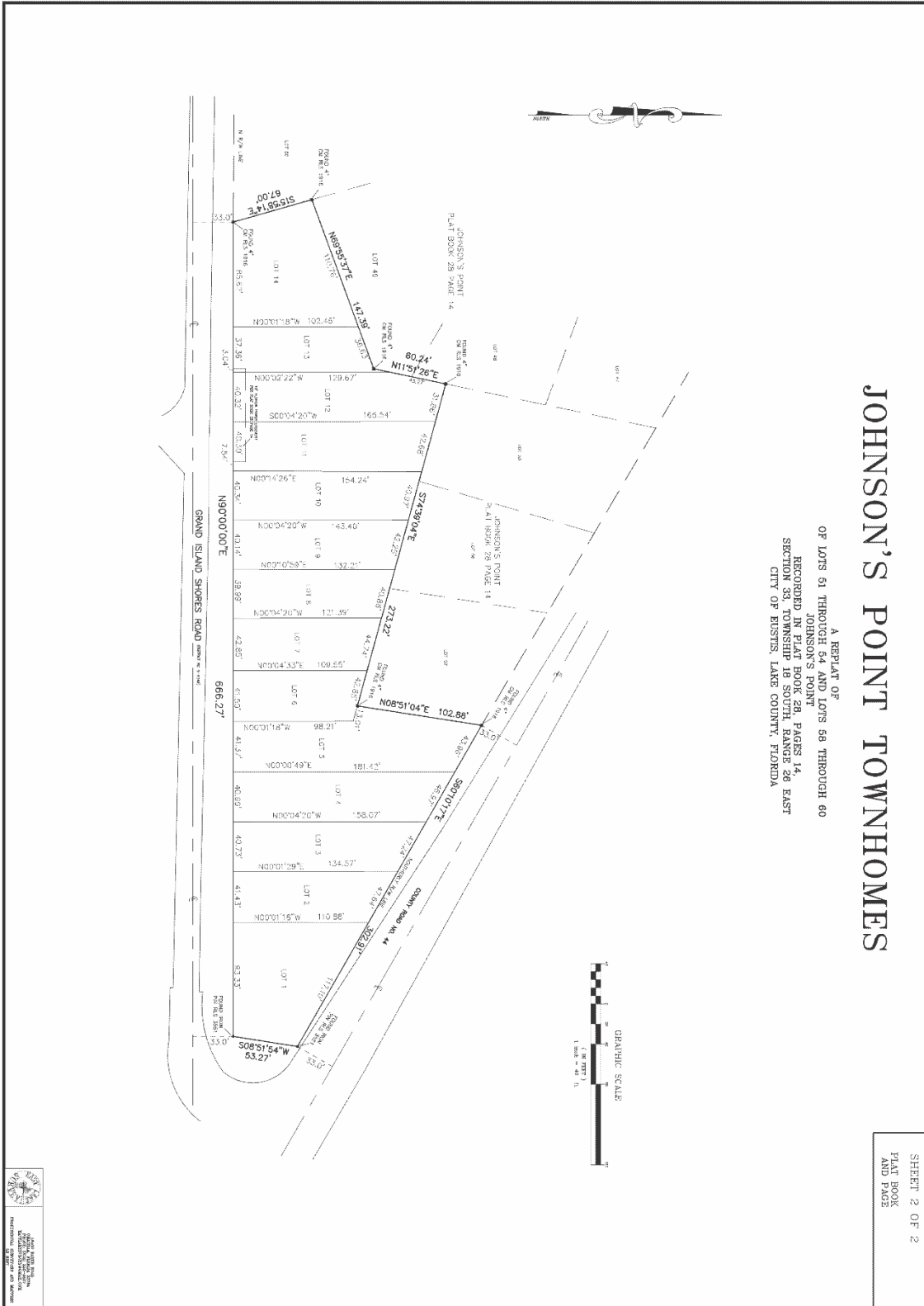
Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 24-49 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 Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

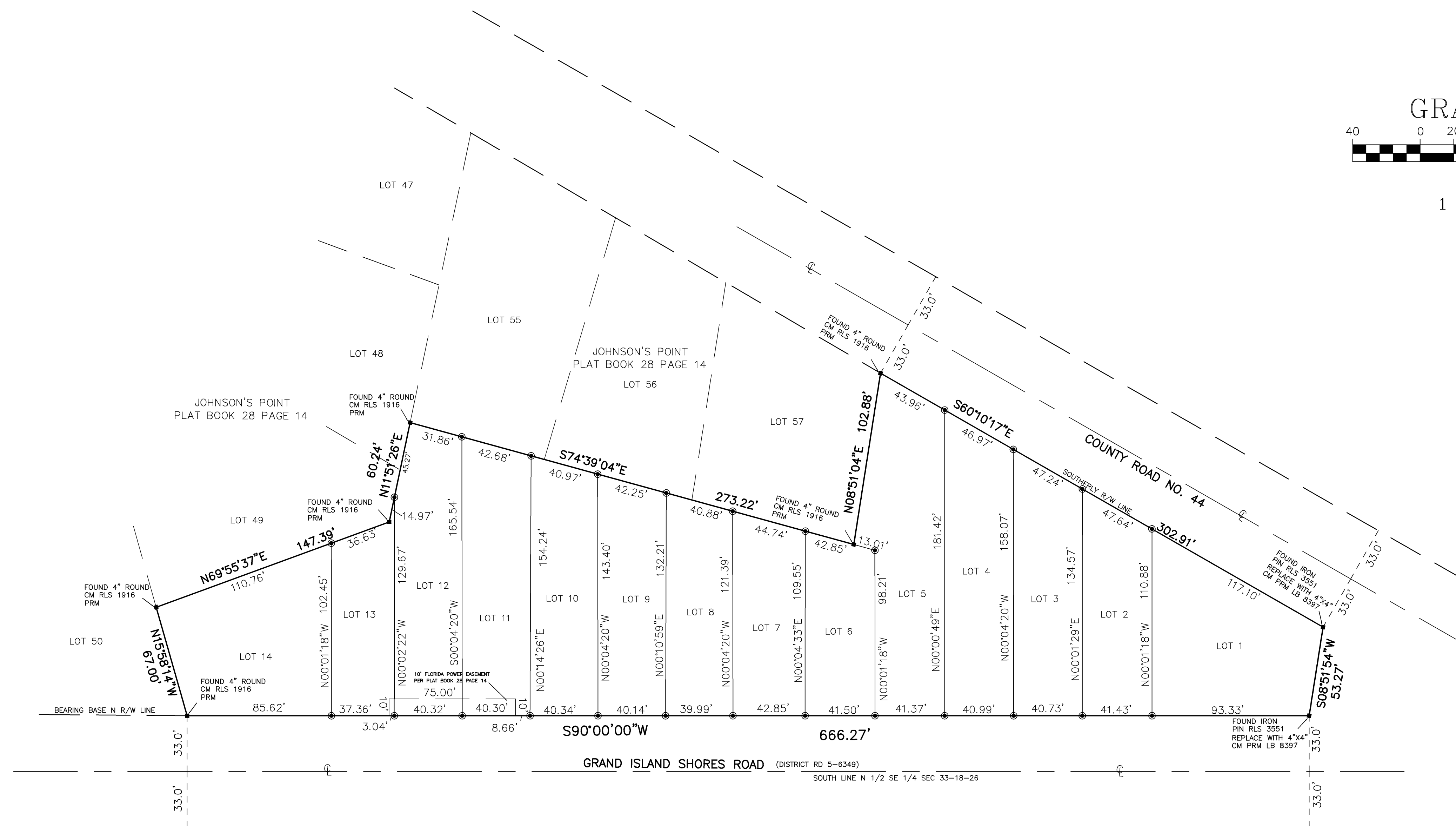
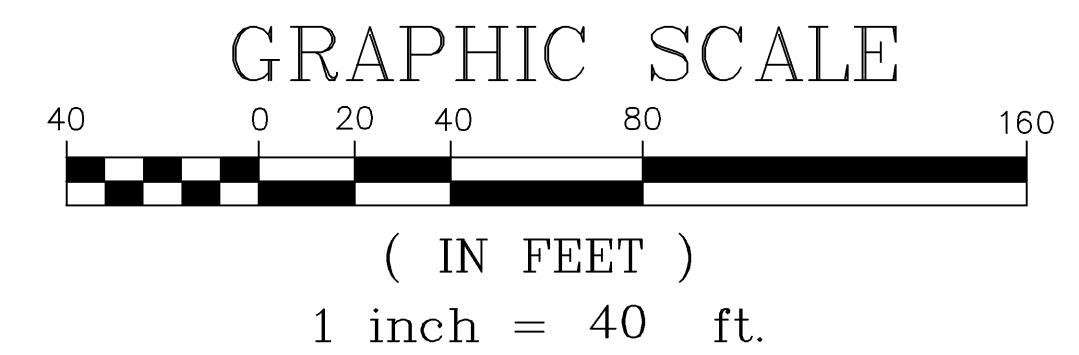
Christine Halloran, City Clerk

EXHIBIT A



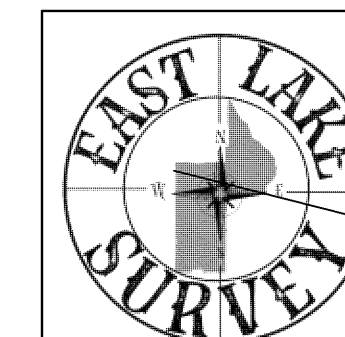
JOHNSON'S POINT TOWNHOMES

A REPLAT OF
 OF LOTS 51 THROUGH 54 AND LOTS 58 THROUGH 60
 JOHNSON'S POINT
 RECORDED IN PLAT BOOK 28, PAGE 14,
 SECTION 33, TOWNSHIP 18 SOUTH, RANGE 26 EAST
 CITY OF EUSTIS, LAKE COUNTY, FLORIDA



LEGEND

- PRM = PERMANENT REFERENCE MONUMENT
- PCP = PERMANENT CONTROL POINT
- RLS = REGISTERED LAND SURVEYOR
- R/W = RIGHT OF WAY
- ⊙ = CENTERLINE
- PLS = PROFESSIONAL LAND SURVEYOR
- CM = CONCRETE MONUMENT
- = SET IRON PIN LB 8397
- LB = LICENSED BUSINESS



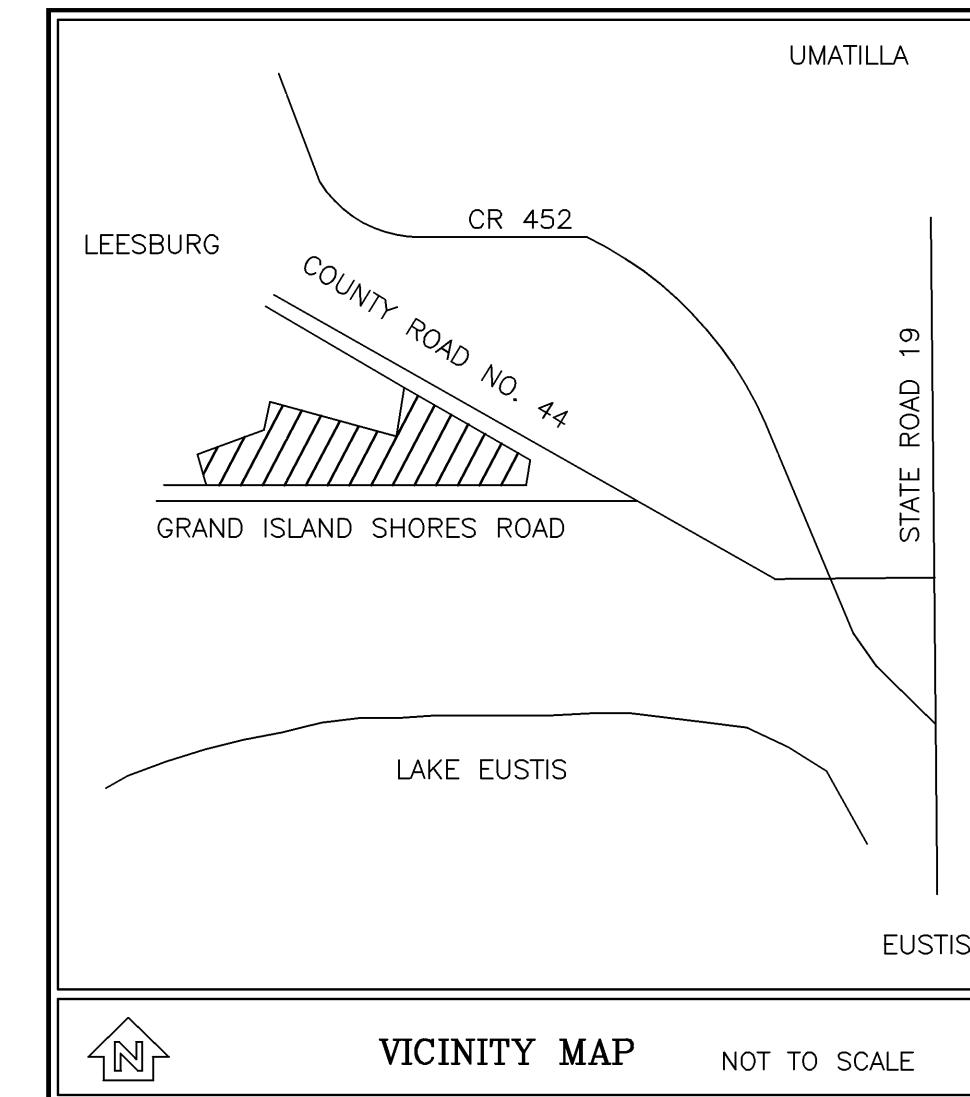
18400 BAKER ROAD
 UMATILLA, FLORIDA 32784
 PHONE: (352) 355-9827
 EASTLAKESURVEY@GMAIL.COM

PROFESSIONAL SURVEYORS AND MAPPERS
 LB 8397

JOHNSON'S POINT TOWNHOMES

SHEET 1 OF 2

A REPLAT OF
 OF LOTS 51 THROUGH 54 AND LOTS 58 THROUGH 60
 JOHNSON'S POINT
 RECORDED IN PLAT BOOK 28, PAGE 14,
 SECTION 33, TOWNSHIP 18 SOUTH, RANGE 26 EAST
 CITY OF EUSTIS, LAKE COUNTY, FLORIDA



PLAT BOOK
PAGE

JOHNSON'S POINT TOWNHOMES DEDICATION

KNOWN ALL MEN BY THESE PRESENTS, JP Townhomes, LLC, a Florida limited liability company, being the owner in fee simple of the lands described in the foregoing caption to this plat, hereby dedicates said lands and plat for the uses and purposes therein expressed, including as set forth in the plat notes, and hereby dedicates the EASEMENT as shown to Florida power corporation.

All local, state and federal governments and their respective agencies and departments, shall have the right of ingress and egress for the use by emergency vehicles.

WITNESSES: _____ MANAGING MEMBERS:
 _____ ROBERT L. WILSON
 Title or Rank MANAGER
 JP TOWNHOMES, LLC

STATE OF _____ COUNTY OF _____
 THIS IS TO CERTIFY THAT ON _____ BEFORE
 ME, AN OFFICER DULY AUTHORIZED TO TAKE
 ACKNOWLEDGEMENTS IN THE STATE AND COUNTY
 AFORESAID, PERSONALLY APPEARED _____
 AND _____ RESPECTIVELY
 AND _____ OF THE ABOVE NAMED CORPORATION
 INCORPORATED UNDER THE LAWS OF THE STATE OF
 TO ME KNOWN TO BE THE INDIVIDUALS
 AND OFFICERS DESCRIBED IN AND WHO EXECUTED
 THE FOREGOING JOINDER AND CONSENT AND
 SEVERALLY ACKNOWLEDGED THE EXECUTION THEREOF TO
 BE THEIR FREE ACT AND DEED AS SUCH OFFICERS
 THEREUNTO DULY AUTHORIZED; THAT THE SAID JOINDER
 AND CONSENT IS THE ACT AND DEED OF SAID
 CORPORATION.

IN WITNESS WHEREOF, I HAVE HERETO SET MY
 HAND AND SEAL ON THE ABOVE DATE.

NOTARY PUBLIC
 MY COMMISSION EXPIRES: _____
 ___ PERSONALLY KNOWN
 ___ OTHER _____ IDENTIFICATION NUMBER

CERTIFICATE OF SURVEYOR

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a registered surveyor and mspper, fully licensed to practice in the State of Florida, does hereby certify that a survey of the lands was completed on _____ and that this plat was prepared under his direction and supervision, and that this plat complies with all the requirements of Chapter 177, Part 1, Platting, Florida Statutes, and that said land is located in Lake County, Florida.

Dated _____
 STEVEN B. WILEY Registration No. 5951
 EAST LAKE SURVEY INC.
 18400 BAKER ROAD UMATILLA, FLORIDA 32784
 PROFESSIONAL SURVEYORS AND MAPPERS LB 8397

REVIEWER STATEMENT

Pursuant to Section 177.081, Florida Statutes, I have reviewed this plat for conformity to Chapter 177, PART 1, Platting, Florida Statutes, and find said plat complies with the technical requirements of that Chapter; provided, however, that my review does not include field verification of any of the coordinates, points or measurements shown on this plat.

Dated _____
 Registration No. PLS 4486
 JENNINGS E. GRIFFIN, HALFF INC.
 902 N. SINCLAIR AVENUE, TAVARES, FL 32778

CERTIFICATE OF APPROVAL BY THE MUNICIPALITY

THIS IS TO CERTIFY, That this plat has been reviewed in accordance with Chapter 177 including Section 177.081 (1) Florida Statutes, and approved by the Eustis City Commission for record on the _____ day of _____ 2024

Attest: _____ City of Eustis
 _____ Mayor
 _____ Print Name _____ Print Name

CIRCUIT COURT CLERK CERTIFICATION

I HEREBY CERTIFY, that the foregoing plat was filed for record this _____ day of _____ 2024 and recorded on Page _____ of Plat Book _____ in the office of the Clerk of the Circuit Court of Lake County, Florida.
 By: _____
 Clerk of the Circuit Court,
 Lake County, Florida

DESCRIPTION

LOTS 51, 52, 53, 54, 58, 59 AND 60 JOHNSON'S POINT AS RECORDED IN PLAT BOOK 28, PAGE 14 OF THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 51 JOHNSON'S POINT, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 28, PAGE 14, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, THENCE RUN N15°58'14"W., ALONG THE WEST LINE OF SAID LOT 51 67.00 FEET TO THE NORTHWEST CORNER THEREOF; THENCE N.69°53'37"E., 147.39 FEET; THENCE N.11°51'26"E., ALONG THE WEST LINE OF LOT 52 OF SAID JOHNSON'S POINT 60.24 FEET TO THE NORTHWEST CORNER THEREOF; THENCE S.74°39'04"E., ALONG THE NORTH LINE OF LOTS 52, 53 AND 54 OF SAID JOHNSON'S POINT 273.22 FEET TO THE NORTHEAST CORNER OF LOT 54; THENCE N.08°51'54"E., ALONG THE WEST LINE OF LOT 58 OF SAID JOHNSON'S POINT 102.88 FEET TO THE NORTHWEST CORNER THEREOF, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 44; THENCE S.60°10'17"E., ALONG SAID SOUTHERLY RIGHT OF WAY LINE 302.91 FEET TO THE NORTHEAST CORNER OF LOT 60 OF SAID JOHNSON'S POINT; THENCE S.08°51'54"W., ALONG THE EAST LINE OF SAID LOT 60 53.27 FEET TO THE SOUTHEAST CORNER THEREOF; SAID POINT ALSO BEING ON THE NORTH RIGHT OF WAY OF GRAND ISLAND SHORES ROAD; THENCE RUN N90°00'00"W., ALONG SAID NORTH RIGHT OF WAY LINE 666.27 FEET TO THE POINT OF BEGINNING.
 CONTAINING 85754.66 SQUARE FEET MORE OR LESS.

NOTES

- BEARINGS ARE BASED ON AN ASSUMED MERIDIAN AND MATCHED TO THE NORTH RIGHT OF WAY LINE OF GRAND ISLAND SHORES ROAD AS BEING N. 90°00'00" E. AS SHOWN ON PLAT FOR JOHNSONS POINT
- NOTICE:
 THIS PLAT AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL, IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES.

LEGEND

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JOINDER AND CONSENT TO DEDICATION

THE UNDERSIGNED HEREBY CERTIFIES THAT IT IS THE HOLDER OF A MORTGAGE, LIEN, OR OTHER ENCUMBRANCE UPON THE ABOVE DESCRIBED PROPERTY, AND THAT THE UNDERSIGNED HEREBY JOINS IN AND CONSENTS TO THE DEDICATION OF THE LANDS DESCRIBED ABOVE BY THE OWNER THEREOF, AND AGREES THAT ITS MORTGAGE, LIEN, OR OTHER ENCUMBRANCE, WHICH IS RECORDED IN OFFICIAL RECORD BOOK _____ PAGE _____

PUBLIC RECORDS OF LAKE COUNTY, FLORIDA SHALL BE SUBORDINATED TO THE ABOVE DEDICATION.

WITNESS UNITED SOUTHERN BANK

STATE OF _____ COUNTY OF _____

THIS IS TO CERTIFY THAT ON _____ BEFORE

ME, AN OFFICER DULY AUTHORIZED TO TAKE

ACKNOWLEDGEMENTS IN THE STATE AND COUNTY

AFORESAID, PERSONALLY APPEARED _____

AND _____ RESPECTIVELY

AND _____ OF THE ABOVE NAMED CORPORATION

INCORPORATED UNDER THE LAWS OF THE STATE OF

TO ME KNOWN TO BE THE INDIVIDUALS

AND OFFICERS DESCRIBED IN AND WHO EXECUTED

THE FOREGOING JOINDER AND CONSENT AND

SEVERALLY ACKNOWLEDGED THE EXECUTION THEREOF TO

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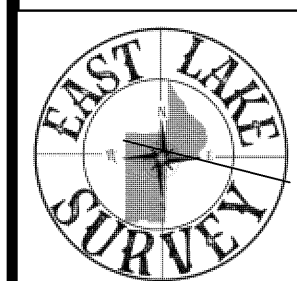
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 MY COMMISSION EXPIRES: _____
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