



AGENDA

City Commission Meeting

6:00 PM – Thursday, September 05, 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

July 10, 2024 City Commission Budget Workshop
August 1, 2024 City Commission Meeting
August 12, 2024 City Commission Special Meeting

3. PRESENTATIONS

3.1 Presentation from Horace Jones with the Eustis Housing Authority

3.2 Presentation from KTE Foundation

4. AUDIENCE TO BE HEARD

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

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

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

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

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

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

Ordinance Number 24-26: Voluntary Annexation

6.5 FIRST READING

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

6.6 FIRST READING

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

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

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

Ordinance Number 24-33 – Comprehensive Plan Amendment

Ordinance Number 24-34 – Design District Assignment

Ordinance Numbers 24-32: Voluntary Annexation

6.9 FIRST READING

Ordinance Number 24-33: Comprehensive Plan Amendment

6.10 FIRST READING

Ordinance Number 24-34: Design District Assignment

7. OTHER BUSINESS

7.1 Organizational and Event Support Grants Final Recommendations

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: September 5, 2024

RE: Approval of Minutes

July 10, 2024 City Commission Budget Workshop

August 1, 2024 City Commission Meeting

August 12, 2024 City Commission Special 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 Budget Workshop

6:30 PM – Wednesday, July 10, 2024 – City Hall

CALL TO ORDER: 6:30 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

1. WORKSHOP ITEM WITH DISCUSSION AND DIRECTION

1.1 Capital Improvement Plan (CIP)

Tom Carrino, City Manager, explained the plan is to review the Capital Improvement Plan and stated staff also is ready to discuss the CRA budget which could be postponed to the actual CRA Board meeting.

The Commission agreed to include the overview of the CRA budget.

Mr. Carrino stated he would review the General Fund capital improvement projects and the "10" Fund - Sales Tax Fund and then he would turn it over to Public Works/Utilities. He noted he would highlight the major projects but would not review all of the projects. He reviewed the General Fund Capital Improvement Plan including the following: 1) Gravity software - budget and CIP software ongoing expense; 2) Code Enforcement vehicle (moved to current year); 3) Fire tower replacement equipment which is also in the Fire Impact Fee Fund due to some of the equipment being for replacement and impact fees cannot pay for replacements only new; 4) Generator maintenance - budgeted annually on rotational basis; and 5) America in Bloom - which will vary from year to year.

The Commission asked about the \$20,000 budgeted for FY24-25 for America in Bloom and questioned if it is sufficient.

Rick Gierok, Public Works Director, explained they are only budgeting \$20,000 for design fees with construction to be done in subsequent years which gives time to bid out the project. He noted they would be doing the cemetery in FY24-25 which also involves America in Bloom.

Mr. Carrino continued the review as follows: 7) Citywide landscape replanting; 8) Lighting control system; 9) Thorguard lightning detection should be in the FY24-25 at \$110,000, not in FY25-26. He stated that the lightning detection system will be installed in additional parks. He noted that the Women's Club improvements have been moved farther out; however, they would be upgrading the audio there and at the Community Center. 10) Basketball goal replacements - He cited the pavilion improvements at both Carver Park and Sunset Island. 11) School bus for Parks & Recreation - He indicated that the purchase is in FY25-26. He explained there are two items for the pool - one item is for the pool deck and the other is for the actual pool liner. The last item in the General Fund CIP is the splash pad maintenance.

Mr. Carrino explained the 1 cent Sales Tax is what funds the capital projects in the Fund. He indicated that the additional penny sales tax is approaching renewal and the City, County and other cities will have to keep that in mind. He reviewed the Sales Tax Fund items as follows: 1) Mobile stage - which staff may request approval prior to finding one in order to be able to move in a timely manner to get the best deal; 2) Events pickup truck - has been moved to current fiscal year; 3) Computer upgrade program - annual expense; 4) Technical equipment for police and fire; and 5) Telephone system.

Mr. Carrino explained that the City's landline phone system is no longer serviced so the City will be looking for new landline service.

The Commission asked about using voice over the internet with Mr. Carrino responding that the City's IT Manager Greg Barron is looking into that. He explained that one issue he is concerned about is redundancy. He then discussed various budgeted building improvements and explained that Public Works tries to estimate the repairs and improvements that may be needed at all City facilities in the next year. He cited the Events Department carpeting and explained that has been budgeted over a two year period as it came in over budget.

Mr. Gierok further explained it was originally budgeted for carpet and then changed to tile due to the high traffic; however, the tile came in over the budget.

The Commission questioned what was the estimated total with Mr. Gierok responding it is estimated at \$55,000 to \$60,000. He added that includes the company moving all of the furniture, tearing out the existing flooring, doing new seals and doing moisture testing. He stated he hopes they will not have to do waterproofing but just do an underlayment. He indicated there is a separate line item for the testing and stated that if they have to do waterproofing it would be another \$30,000.

Mr. Carrino reviewed the following projects: 1) Lake Willy walk reseal, 2) Community Center parking lot which is several years out; 3) Parking lot seal and stripe - which is for different lots throughout the City; and 4) Combined public safety complex. He indicated they need to have a consultant look at the call volume to determine the best place for the complex to be located.

Discussion was held regarding how the location will affect the City's ISO rating. It was agreed that the study needs to be completed as soon as possible with Mr. Carrino citing the funds budgeted in FY26/27 and 27/28. He stated that the study is in the current budget for \$25,000. He commented on how staff will be working on the funding package for the complex.

Mr. Carrino continued reviewing the projects as follows with additional comments from Mr. Gierok: 1) Parks & Recreation misc. equipment and maintenance; 2) Cemetery design and construction with \$40,000 in the current fiscal year for design and engineering and \$400,000 in FY24-25 for construction; 3) Morin Street building additions; 4) Park maintenance (primarily the athletic fields); 5) America in Bloom project for a greenhouse to be located off of Cardinal; 6) Fire Station improvements and Station #22 landscaping; and 7) Northshore culvert.

Mayor Holland noted that he had spoken with Ashley Spiccola in Tallahassee about trying to obtain state funding for the Northshore culvert with Mr. Gierok indicating they previously had a design for a "bandaid" project which would have lasted about ten years. He noted they also have funding in the budget for the Northshore bridge

replacement. He explained there is a complication with the culvert as it is adjacent to the Florida Gas transmission main. He stated that is a 10 inch high pressure, high volume line which will create a significant challenge to construction. He said that if they can get the bridge that will last 50 years rather than ten.

Mr. Carrino continued reviewing the projects as follows: 1) Annual Police replacement vehicles; 2) Axon contract for body cam and vehicle cam videos; 3) Fire captain vehicle; 4) Annual radio payment; 5) Govwell software; 6) Replacement of various dump trucks and other vehicles; and 7) Sidewalks.

The Commission asked who maintains the Public Works vehicles with Mr. Carrino explaining the City has two vehicle mechanics. The Commission questioned why they couldn't work on the police vehicles with Police Chief Craig Capri explaining those mechanics are overworked so they try to outsource some of the smaller jobs such as oil changes. He commented that their maintenance expense should drop down as they bring on the new vehicles.

Mr. Carrino explained the Citywide sidewalk project and mobility program with Mr. Gierok explaining the City's efforts to replace broken sidewalks and ramps as part of the ADA program. He said the mobility is for new sidewalks with points awarded for proximity to schools.

Mr. Carrino continued the project review as follows: 1) Street sealing; and 2) Street resurfacing. He commented on how much more the City gets done than other cities due to doing much of their street work inhouse. He then cited the following projects: 1) Various trucks; 2) Engineering for paving of unimproved roads and then \$400,000 in FY26-27 to do some of the construction; 3) Signalization cameras in FY27-28; 4) Northshore bridge construction; 5) Pine Meadows Golf Course Rd. bridge replacement; and 6) Rosenwald Gardens roads. He confirmed that the developer is not utilizing the Pine Meadows Golf Course Rd. bridge. He explained that Rosenwald Gardens includes Coolidge and the sidewalks in conjunction with the water/sewer project. He noted that will show up in a number of places in the budget. He indicated that Lake County is partnering with the City since part of that is in the County and cited a number of grants being applied for to fund the project.

Mr. Carrino continued the review with the following projects: 7) Design and engineering for the library meeting room reconfiguration; 8) AC replacement for Parks & Recreation admin. building; 9) Community center generator; and 10) Ferran Park security cameras. He stated staff is working on getting it done in the current fiscal year and to include the Clifford House.

Craig Capri, Police Chief, indicated they also want to include Sunset Island and stated he has someone working on obtaining some grant funding from Homeland Security for that purpose.

Mr. Carrino stated that staff is working with Vice Mayor Lee on a potential educational building at Cardinal Cove so they have delayed the public restrooms until they see what may happen with the educational building. He then commented on the following projects: 1) Pickleball courts; 2) Park marquee signs; 3) Service Center improvements - to be determined by length of lease with W.I.N. 1 Ministries; 4) Parks projects at Bennett Park, Elizabeth Circle, Liberty Park and Pendleton Park; 5) Tennis and basketball courts reseal; 6) Admin. truck replacement; 7) Carver Park playground equipment; 8) Carver Park security cameras; 9) Splash pad fencing - may be done in current fiscal year; 10)

Carver Park basketball court rebuild/resurface; and 11) Softball field lighting - \$45 in FY27-28. He indicated the lighting may not be done due to low usage.

Discussion was held regarding the reduction in softball leagues; the existing lighting at the field and whether or not the existing lighting would work with the automatic light system.

Discussion was held regarding the proposed aquatic center renovation scheduled for FY28-29 and the possibility of incorporating a pool into the proposed athletic center. It was noted that the existing pool and building is 70 years old and there is some historic significance to the building.

Discussion was held regarding the following projects: 1) Sunset Island pedestrian lighting; 2) Pool resurfacing; 3) Garden Room improvements; 4) Parks and Recreation master plan; 5) Sunset Park security cameras; and 6) Fire Engine which is funded in FY24-25 but would not be received for four years.

Discussion was held regarding the City receiving funding from the NBA player and whether or not the City should move up the Parks and Recreation master plan.

Mr. Carrino reviewed the Law Enforcement Education Fund with Chief Capri confirming the \$40,000 is for the annual payment on the County-wide portable radio system. He reviewed the CRA Capital Improvement projects as follows: 1) Street rehabilitation; 2) Sidewalk rehabilitation; and 3) Ferran Park seawall.

Discussion was held regarding the Ferran Park seawall with Mr. Gierok confirming that the design and engineering is almost complete and they should be ready to go after October 1st.

Mr. Carrino stated that the Palmetto Plaza hardscape is in the current year and staff has been working with the church but there have been issues. He indicated the funding in the current year would roll forward. He noted funding is also budgeted for a shade structure. He noted that the basketball court pavilion is in the current budget for \$400,000 and that will be rolled forward to allow further discussion on what to do. He indicated that the Debt Service is for the former Waterman property. He explained how the financing on the property was structured and stated the CRA will probably need to refinance the balance before the end of FY24-25.

Discussion was held regarding the financing and whether it might be better to change the financing structure.

Mr. Gierok reviewed the Street Improvement Fund capital projects. He noted that the Street Fund has always been underfunded. He cited the following projects and explained each: 1) Reimbursement for signal maintenance to Lake County; 2) Traffic study and implementation which pertains to reflectivity of striping and stop bars under federal requirements; and 3) Pavement condition index study.

Discussion was held regarding the concrete underlayment roads that need to be replaced.

Mr. Gierok commented on the issue with State Road 19 and the level of maintenance provided by FDOT. He indicated that staff has had conversations with the Leesburg office regarding the problem. FDOT has provided a price of \$100,000 to maintain the cloverleaf and both 19's up to Umatilla which is approximately what they are paying their contractor. He stated he has reached out to the City's contractor who provided a price

of \$200,000 per cycle and it requires two cycles for a total of \$400,000 for a difference of \$300,000.

Discussion was held regarding how often FDOT has the area maintained and whether or not the City could utilize the same contractor and pay them another \$100,000.

Mr. Gierok indicated that the Fund Balance would cover two more years only. He stated the City is currently in good shape regarding the roads.

Mr. Carrino stated that the message is that the City will have to supplement the Street Fund from another source.

Discussion was held regarding whether or not FDOT would provide their \$100,000 to the City if the City takes over the maintenance and what they may be doing with other cities with Mr. Gierok indicating that the maintenance contract and landscaping would be discussed further.

RECESS: 7:50 P.M. RECONVENE: 8:02 P.M.

Mr. Gierok reviewed the Water & Sewer Revenue Fund projects as follows with details: 1) Pavement assessment study; 2) F150 pickup truck; 3) Autocad software; 4) Ford pickup truck for a meter reader; 5) Environmental compliance vehicle; 6) Security cameras for the water plants; and 7) LIMS software for the wastewater plant laboratory.

Mr. Gierok explained the 42 Fund is for repairs and noted that there are funds for repairs to the eastern wastewater plant that have been moved out later due to the upcoming discussion about that plant. He cited his staff members present and explained the department's recent reorganization.

Greg Dobbins, Public Works Deputy Director for Utilities, reviewed the 42 Fund projects as follows: 1) Water meter rebuild & replace program; 2) Directional drill for CR44 at Meadow Ridge; 3) Admin. half ton pickup truck; 4) One ton service truck; 5) Half ton service pickup truck; 6) Laurel Oak Rd. water main replacement; 7) Heathrow wells rehabilitation; 8) Water master plan - engineering for projects in the master plan; 9) Sodium hypochlorite tanks; 10) GST hand railing for storage tanks; and 11) Cornelia Dr. second connection point to loop in a six inch line.

Discussion was held regarding the GST hand railing for the storage tanks with a consensus to move up that project for the safety of the workers with Mr. Gierok recommending that they go ahead and get bid pricing before deciding whether or not they need to phase that project as they may save money by having all of them done at once.

Mr. Dobbins continued reviewing the FY 24-25 42 Fund projects as follows: 1) Water pump replacements; and 2) Lakeshore Avenue galvanized main which is currently being engineered.

Mr. Carrino highlighted the floating solar panel project. He indicated the project was bid out; however, if the City is not going to keep the property then there will be no point in moving forward.

Mr. Dobbins continued the FY24-25 project review as follows: 1) CR 44 force main; 2) Bates Avenue plant sewer upgrade; 3) Lift station submersible pump replacement; 4) Effluent pump and motor replacement program for reclaimed water; 5) Wastewater pickup truck replacement; 6) Sewer cleaning truck new; 7) Sewer vacuum truck rehab; 8) Lift station emergency generator replacement program; 9) Infiltration and intrusion

program; 10) Biological process equipment; 11) Telemetry/communication upgrade SCADA system; and 12) Eastern plant turbine upgrade.

Mr. Gierok reviewed the Stormwater Utility Revenue Fund projects as follows: 1) Culvert replacement; 2) Engineering for Eustis St. and Gottsche Avenue with construction in the following year; 3) Misc. flooding control; 4) Concrete crushing; and 5) Purchase of new street sweeper.

Mr. Carrino noted the Fire Tower truck equipment and highlighted the Corey Rolle field improvements with Mr. Gierock explaining the Conex boxes are being engineered and they should have the unmodified boxes soon and then the remainder by mid-August. He indicated that the design for the footing is part of the engineering. He stated the \$178,000 is for the parking, fencing and other improvements. The remainder is for the fields with Mr. Gierok indicating he put in a ballpark figure so that the new Parks and Recreation Director had something to work with.

Mr. Gierok and Mr. Dobbins reviewed the Water Impact Fee Fund and Sewer Impact Fee Fund projects including the following: 1) Eastern water main extension moved to FY26-27; 2) Rosenwald 7 block water main; 3) Water meter service program; 4) Reclaimed water meter service program; 5) Eastern force main extension moved to FY26-27; and 6) Rosenwald 7 block sewer main.

Mr. Gierok indicated a grant application had been submitted that day for \$800,000 for the Rosenwald project. He noted the reclaimed water master plan.

Mr. Carrino noted the under \$25,000 General Fund capital projects and asked if they wanted to review them.

Commissioner Hawkins asked about the listed ADA addition to the kayak launch with Mr. Carrino indicating they determined they can't do the kayak rentals. Mr. Gierok explained the purpose of the kayak launch addition.

Mr. Carrino asked if they wanted to continue to the CRA budget and it was a consensus to review it at the CRA Board meeting.

Mayor Holland asked for a recommendation from the Finance Director as to increasing the amount required for Commission approval to \$100,000. He noted that sometimes the City misses out on purchases due to the time necessary to bring something back to the Commission for approval.

Lori Carr, Finance Director, indicated she would research that and bring back a recommendation.

1.2 Community Redevelopment Agency (CRA)

It was a consensus to postpone review until the CRA Board meeting.

2. **ADJOURNMENT: 8:34 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



MINUTES

City Commission Meeting

6:00 PM – Thursday, August 01, 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, Commissioner Willie Hawkins and Mayor Michael Holland

1. AGENDA UPDATE: NONE

2. APPROVAL OF MINUTES

July 9, 2024 City Commission Budget Workshop

July 18, 2024 City Commission Meeting

Motion made by Commissioner Hawkins to approve the Minutes. Seconded by Commissioner Ashcraft. Motion passed on the following vote:

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

3. PRESENTATIONS

3.1 Rafiki Classical Academy - Vice-Mayor Emily Lee has invited Rafiki Classical Academy to present to City Commission

Karen Elliott, Executive Director of the Rafiki Foundation, provided an overview of their work both in Africa and in Eustis. She reported on their new Rafiki Classical Academy and their plan to build a permanent school on their site. She explained their goal is to help children in need and to help them know God. She cited the number of people they employ both in Eustis and in Africa. She presented a short video on their programs. She commented on their school and the store which features goods from the widows in Africa.

3.2 Altumint Presentation - Representatives of Altumint will be present to give an update on the school zone camera program and answer any questions

Craig Capri, Police Chief, provided an update on the City's school zone camera program. He indicated the program will be re-activated the first day of school - August 12th. He noted there are two new locations being added. He confirmed there will be a 30-day warning period for the new locations. He indicated there were some public service announcements currently being done to remind the public about the cameras. He cited a student hit the previous school year while in the crosswalk. He confirmed that the cameras are only active during the school hours - 7:30 a.m. through 4:00 p.m. He added that the citations are not issued unless the vehicle is doing at least 11 miles per hour over the 20 mph while the lights are flashing. He confirmed that the cameras stop earlier on early release days. He added they are still working with FDOT to get the cameras placed on Bay Street.

Chief Capri noted there were people that had multiple citations and those were reduced to one each. He said that most of the people have been supportive of the program.

Vice Chair Lee expressed concern regarding how late the lights are flashing on Orange Avenue. She indicated she was informed it was because of after school activities.

Discussion was held regarding how late the cameras should be active.

Chief Capri indicated the first hearing for appeals would be held on August 12th with the Code Enforcement Board. He explained they would begin using the Code Board but if that doesn't work well they would have to come back to the Commission to switch to a magistrate.

Discussion was held regarding utilizing the Code Board versus a magistrate.

CONSENSUS: It was a consensus of the Commission for staff to proceed with the necessary changes to allow the use of a magistrate.

Chief Capri commented on the number of other communities going to the school zone speeding cameras. He confirmed that there are no points assessed and it is a \$100 civil citation; however, if they don't pay it then it goes to the State and a uniform traffic citation is issued and then points would be assessed.

Commissioner Hawkins asked how many other communities Altumint services with Holly Cooper, Altumint CEO, responding they are working with 70 communities throughout the U.S.

Commissioner Hawkins asked if all 70 cities have their citations sent to the same address with Ms. Cooper responding that each city has a separate lock box. She stated that each payment is processed the same day it's received. She noted that all of the correspondence is not necessarily payments but may also be hearing requests, etc. Commissioner Hawkins then asked how long it typically takes if someone sends a check to Atlanta with Ms. Cooper responding it is processed the same day. She indicated any delay is usually due to delays in the postal services.

Commissioner Hawkins cited a specific case and questioned why a payment may not have been processed with Ms. Cooper responding the lockbox probably didn't receive it. She stated the best way to pay to ensure timely application of the payment is either by phone or make a pay-by-web payment. She indicated she could have the Customer Service team check on a specific case if necessary.

Commissioner Ashcraft asked if they are sent a nonpayment notice with Ms. Cooper responding they are not sent a second notice. She explained a single notice gets sent the first time and, after the 30 days which is the legislative trigger for the UTC to be issued, they can no longer accept payment because then the payment is processed through the court system. She indicated they had worked with EPD to extend the time period for issuance of the UTC (uniform ticket citation).

Commissioner Hawkins expressed concern about an individual not getting a response or notice but then they get a letter from the Clerk of Court saying their license is going to be suspended.

Ms. Cooper indicated that they can call to verify if their payment has been received. She indicated that if they have received the UTC and they have proof of mailing, they can get the UTC dismissed. She stated that they have actually gone back and given some grace on a few of them and removed the UTC's from processing.

Commissioner Hawkins explained he just wants to insure that the City is getting the same service as they provide to their other 69 clients with Ms. Cooper explaining that the process is different in Florida than in some other states. She stated that some states require a second notice to be sent and some even require a third notice. She suggested that the City could modify its process to have a second notice sent. She noted there would be a cost to that and it is not required under the state statute.

Commissioner Hawkins asked if the ticket says that points will be assessed with Ms. Cooper responding that it says a uniform ticket will be issued if it is not paid and a uniform ticket does assess points.

Commissioner Hawkins expressed concern regarding the length of time required to process payments and noted that the Clerk of Court indicated there have been numerous issues. He was also concerned regarding the length of time to process the affidavit. He commented on the difficulties facing residents if their license is suspended.

Chief Capri indicated that, inhouse, they can handle contacting individuals regarding not paying within 30 days prior to issuing a state citation.

Ms. Cooper commented on the number of people who aren't paying in a timely manner.

Chief Capri indicated it is possible to do the phone calls and the number should get less and less.

Discussion was held regarding the possibility of people having their license suspended and whether or not to do phone calls or send out additional reminders.

Commissioner Hawkins commented on the difficulty in reading the citations due to the small type and expressed concern about the delays.

Ms. Cooper explained the payment process is through Capital One Bank who handles lock boxes for thousands of companies. She indicated she would check with them to make sure they are processing the payments as they are supposed to. She confirmed they would continue to accept checks for payment.

3.3 Johnson’s Point Septic to Sewer Project

Greg Dobbins, Deputy Public Works Director for Utilities, reported that the City was awarded a \$100,000 septic to sewer grant through Lake County. He reviewed the options for the project and the various advantages and disadvantages. He asked for direction from the Commission on how to proceed.

The Commission confirmed that implementing the \$1.2 million option would allow for providing sewer to more areas in the future.

Tom Carrino, City Manager, indicated that to do the \$1.2 million option would require a funding package with probably some grant applications. He noted that the funding would be from the Water/Sewer Fund, not the General Fund. He stated that the goal is to get residences off of septic and onto sewer. He explained the issue with the use of the grinder pumps, which is the least expensive solution.

The Commission asked if the residents would participate in the \$1.2 million option with Mr. Carrino stating they would through connection fees and impact fees but not the overall capital cost.

Mayor Holland recommended that staff look at what grant packages may be available and bring that back to the Commission for consideration.

The Commission asked if the developers would participate with Mr. Carrino explaining that the individual who purchased the development has proposed the installation of the seven grinder pumps.

Mr. Dobbins explained the \$100,000 in grant money is for the installation of a two-inch force main.

Further discussion was held regarding available grant funds to get homes off septic and onto sewer. Mr. Carrino indicated that applying for grants will take some time and the subject site may have issues if their septic fails.

Discussion was held regarding the cost per residence and whether or not the City has done that for anyone else with Mr. Carrino explaining that, in a development, the City makes the developer pay for the sewer. For existing residences already in the City, it is only the one residence.

Rick Gierok, Public Works Director, explained how and why the City received the \$100,000 grant and the issues with use of the grinder pumps. He further explained his hesitancy in using that system and how staff began looking at the project with the possibility of upsizing the project. Further comments were made regarding funding and how septic tanks are flowing into Lake Yale which is an already impaired water body.

The Commission asked how many homes would be serviced if they utilized the \$1.2 million option with Mr. Gierok responding 60 residences.

The Commission expressed concern regarding only being able to serve another 60 homes for \$1.2 million.

CONSENSUS: It was a consensus of the Commission for staff to move forward with the second option costing \$300,000.

3.4 Presentation on Conceptual Design for Greenwood Cemetery

Rick Gierok, Public Works Director, introduced Ray Lopez, Kimley Horn, who provided a review of the design package for Greenwood Cemetery and the proposed tree plant palette. He cited the need to use as many native species as possible.

The Commission expressed appreciation for all of the work on the design plan.

Mr. Gierok asked Mayor Holland regarding the orientation of the gravesites with Mayor Holland responding that it has changed over the years and it should run with the land.

Recognition of Retiring Human Resources Director Bill Howe

Mr. Carrino read a commendation recognizing Bill Howe upon his retirement.

Bill Howe commented on his nine years with the City of Eustis. He stated he would miss both the people and the job and thanked Mr. Carrino, the Commission and City staff for their support.

4. AUDIENCE TO BE HEARD

Kalin Ellison addressed the Commission regarding the Magic Boys event. He indicated that Lake County Tourism has reached out to him due to the number of people his event attracts to the area. He emphasized his desire to hold a safe event. He thanked the City for its assistance and noted they are sponsoring a back to school event on Sunday at the fairgrounds with approximately 300 to 400 students to attend. He thanked the City for its participation in that event and assured the City of his desire to stay in compliance with the City's regulations.

Bryan Broomfield thanked the Commission, City Manager and police officers for participating in the St. James AME Community Day. He commented on presidential candidate Donald Trump's attendance at a conference hosted by the National Association of Black Journalists. He further commented on the definition of diversity, equity and inclusion and the need for that to be recognized.

Gail Isaac Thomas announced that the next comedy night would be on October 12th at the Hideaway Performing Arts Center in the Big Lots shopping center. She indicated they would be celebrating the House of Laughter's ninth anniversary.

5. CONSENT AGENDA

5.1 Resolution Number 24-55: Approving a Purchasing in Excess of \$50,000 for New Flooring in the Events Department

5.2 Resolution Number 24-63: Professional Landscape Architectural Services for Greenwood Cemetery's Tranquil Gardens and Estate Plots Improvements

5.3 Resolution Number 24-68: Amendment to the City of Eustis/UCF Partnership Agreement

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

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

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 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)

Derek Schroth, Assistant City Attorney, announced Resolution Number 24-41: A Resolution of the City Commission of the City of Eustis, Florida; approving a site plan with waivers for a self-storage facility on approximately 1.07 +/- acres located at David Walker Drive and Huffstetler Drive (Alternate Key Number 3853069).

Jeff Richardson, Development Services Deputy Director, noted that the project was previously presented to the Commission in May; however, it was tabled with a request for some changes. He reviewed the proposed site plan and requested waivers as follows: 1) Waiver to Section 115-6.1(a) Building Facade to allow for no designated/defined building entrance for the commercial buildings; 2) Waiver to Section 115-6.1(d) Building Features to allow the spandrel-type of faux windows on the street and plaza entrance facing the building facades; 3) Waiver to Section 115-6.1(e) Orientation to allow for no designated/defined building entrance; and 4) Waiver to Section 115-6.1.2(b) Metal Buildings to allow for the use of metal buildings along the David Walker Road frontage. He explained that metal buildings are allowed on Dillard but not on David Walker and the property is on the corner of both so the waiver is needed.

The Commission asked the closest building that is metal with Commissioner Ashcraft indicating there are some down Huffstetler.

Commissioner Ashcraft asked if the landscaping is going to make it difficult to see traffic with Mr. Richardson responding that the stop bar will be out past the landscaping.

The Commission questioned the impact on traffic and cited issues at Huffstetler and David Walker with Mr. Richardson indicating that storage facilities do not have a heavy traffic impact.

Discussion was held regarding the ingress/egress with Michael Carter, applicant, indicating that it would require turning lanes to exit onto David Walker instead of into the parking lot.

Mr. Richardson indicated that the project conforms to the City's regulations and expressed staff's recommendation for approval.

Attorney Schroth opened the public hearing at 7:29 p.m. There being no public comment, the hearing was closed at 7:29 p.m.

Vice Mayor Lee and Commissioner Hawkins expressed concern regarding the congestion in the parking lot.

Mr. Carter indicated that almost any other commercial use would create more traffic than this use would.

Motion made by Commissioner Ashcraft to approve Resolution Number 24-41. Seconded by Mayor Holland. The motion failed on the following vote:

Voting Yea: Commissioner Ashcraft

Voting Nay: Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

6.2 SECOND READING

Ordinance 24-29: Amending Eustis Firefighter Pension Board Trustee Terms in Chapter 70, Article III, Section 70-61.5- Board of Trustees of the City's Code of Ordinances

Attorney Schroth read Ordinance Number 24-29 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending Chapter 70, Pensions and Retirement, Article III, Municipal Firefighters/ Pension and Retirement System, Section 70.61.5 - Board of Trustees of the Code of Ordinances of the City of Eustis; and providing an effective date.

Attorney Schroth opened the public hearing at 7:33 p.m. There being no public comment, the hearing was closed at 7:33 p.m.

Motion made by Commissioner Ashcraft to adopt Ordinance Number 24-29 on final reading. Seconded by Commissioner Hawkins. Motion passed on the following vote:

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

6.3 SECOND READING

Ordinance 24-30: Amending Eustis Police Pension Board Trustee Terms in Chapter 70, Article IV, Section 70-115- Board of Trustees of the City's Code of Ordinances

Attorney Schroth read Ordinance Number 24-30 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending Chapter 70, Pensions and Retirement, Article IV, Municipal Police Officers' Pension and Retirement System, Section 70-115 - Board of Trustees of the Code of Ordinances of the City of Eustis; and providing an effective date.

Attorney Schroth opened the public hearing at 7:34 p.m. There being no public comment, the hearing was closed at 7:34 p.m.

Motion made by Commissioner Ashcraft to adopt Ordinance Number 24-30 on final reading. Seconded by Commissioner Hawkins. Motion passed on the following vote:

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

7. OTHER BUSINESS

7.1 Commission Appointment Discussion regarding the appointment process for the Seat 4 vacancy

Mayor Holland stated he had asked to have this on the agenda. He indicated he would recommend waiting until the September 5th meeting to make a decision. He asked Attorney Schroth about the requirements in the charter.

Attorney Schroth responded that the charter only states that the Commission "shall" appoint. He indicated that the Commission has a great deal of latitude; however, there is a "reasonableness" component.

Mr. Carrino reminded the Commission that the next meeting would not be until September 5th.

Vice Mayor Lee questioned the amount of time that would be needed to advertise with Mary Montez, Deputy City Clerk, indicating it wouldn't take too long to be able to submit the advertisement for publication. She stated staff could go ahead and format an advertisement for publication once a decision was made. She suggested that a special meeting could be held after qualifying closes on August 9th to make a final decision on whether or not to open it up to applications.

Discussion was held regarding whether or not to open up to applicants or to appoint the candidate if there is only one candidate for Seat #4.

CONSENSUS: It was agreed to wait until qualifying is closed to schedule a special meeting in order to make a final decision.

7.2 Discussion of City Manager's Performance Evaluation Process

Bill Howe, Human Resources Director, explained the Commission is required to annually review the City Manager's performance. He indicated he had provided copies of the form previously used and asked whether or not the Commission wanted to make any changes to the form. He noted that the previous year the Commission had him schedule individual meetings with each of the Commissioners and the City Manager, after which a public review was conducted.

CONSENSUS: It was a consensus of the Commission to utilize the same form and process for the City Manager's annual review.

8. FUTURE AGENDA ITEMS AND COMMENTS

8.1 City Commission

Commissioner Hawkins thanked the Eustis Police and Fire Departments for the One Blood event - Battle of the Badges. He noted that the Commission agreed previously to provide a donation to the young lady attending the Junior Olympics. He found out she placed 17th in the Junior Olympics and indicated he would invite her to attend a meeting.

Commissioner Hawkins noted that the City Manager had asked if he wanted to meet with him and the new Assistant City Manager. He stated that he declined that opportunity and indicated that is not the Commission's job.

Mayor Holland indicated he had told the City Manager the same thing.

Commissioner Hawkins noted he had been approached by someone about why they did not have a speed bump on their road. He stated he had explained it does not meet the test for a speed bump and it was only a 400 foot street. He commented on the response he received

from the resident and noted he had invited him to attend a meeting. He expressed concern about a resident stating the Commission is corrupt. He expressed support for residents with issues to attend the Commission meetings.

Vice Mayor Lee noted a complaint she received from a resident, first about something being stolen from their property, and then about trash not being picked up in their neighborhood. She stated she asked the Police Chief to contact the resident but they told the Chief they didn't have time to talk to him. She commented on the threats and rude tone of the complainant and the lack of respect.

The Commission encouraged residents to come to meetings to address complaints rather than being rude. It was noted how much trash the individual Commissioners have picked up in the communities during clean up days.

Vice Mayor Lee commented on her efforts to support education in the community. She emphasized the need for more education and job training and the need to focus on children. She explained why she invited the Rafiki School to present to the Commission. She also cited Lake Tech and the programs they offer. She emphasized the need to build up adult education as well. She thanked W.I.N.1 Ministries for their events.

Commissioner Hawkins noted the KTE Foundation held a basketball camp at Parks & Recreation. He indicated that NBA professional basketball player Keon Ellis would be present the next day and would be presenting a signed ball to the high school and a signed poster to Parks and Recreation. He added that he would also be present at the backpack giveaway.

Mayor Holland asked Chief Swanson to report on an event. Chief Swanson stated that one of the City's employees has a daughter with a health issue and they would be holding a fundraiser on August 18th to assist them.

Mayor Holland encouraged Chief Swanson to approach the Commissioners for anything they need for the event. He then encouraged all of the directors to inform the Commission about any events they are participating in.

8.2 City Manager

Mr. Carrino announced the August 15th meeting was cancelled due to the League of Cities conference. He reported on staff working on compiling additional information for the Commission in order to make a decision about the eastern water plant. He indicated his belief that the County's land uses around that plant are important to that decision. He added that he would be providing information regarding the cost for an appraisal of the plant.

Chief Swanson announced that Governor DeSantis had declared a State of Emergency due to the approaching storm and anticipated rainfall.

8.3 City Attorney

Attorney Schroth congratulated Bill Howe on his retirement.

8.4 Mayor

Mayor Holland announced that Eustis Elementary School would be celebrating its 100th anniversary. He indicated he was going to ask the City Manager identify some funding that the City could possibly donate for the event. He then announced that the next Thursday would be the pep rally for kicking off the new school year. He encouraged people to attend the school sporting events.

9. ADJOURNMENT: 8:06 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



MINUTES

City Commission Special Meeting

5:30 PM – Monday, August 12, 2024 – City Hall

CALL TO ORDER: 5:30 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

1. CITY COMMISSION DISCUSSION

1.1 City Commission Discussion for Appointment of Interim Commissioner to Fill Seat #4

Tom Carrino, City Manager, reviewed the packet presented to the City Commission with information created by Mary Montez, Deputy City Clerk, regarding the process used to fill the vacancy back in 2019. He cited the draft ad, appointing resolution and application.

Commissioner Hawkins asked how long it took last time to complete the process.

Mr. Carrino responded that the application period ran for about two weeks from March 25th to April 5th with a special meeting held April 11th to interview the applicants. The Commission made the appointment that same night. He noted the lag in time to place the advertisements and estimated the total time frame as about one month. He stated the earliest they could run a display ad would be Friday, August 16th. He commented that the Charter does not speak to the process. He indicated that various parts of the process are up to the discretion of the Commission. He stated that the application period could be left open as long as the Commission wished.

The Commission asked the number of meetings left in the year with Mr. Carrino noting the second meeting in August was cancelled for the League of Cities conference. He indicated that there are two regularly scheduled meetings in September, October, November and December; however, it is possible that the second meetings in November and December may be cancelled.

Discussion was held regarding how long the application period should be left open and when the appointment should be made. Discussion was then held regarding whether or not to hold the interviews at a regular or special meeting.

Mr. Carrino indicated the appointee could serve for up to six meetings depending on when the special meeting is scheduled due to whomever is elected in November being sworn in at the first meeting in January. He noted that the Charter says the Commission "shall" appoint an interim commissioner; however, it does not dictate the process to be used.

The Commission questioned why they couldn't just wait until after the election with Sasha Garcia, City Attorney, responding that the charter says the Commission "shall" appoint and quoted Section 9 of the charter. She mentioned the possibility of selecting someone who was a previous commissioner due to the learning curve and Sunshine Law.

Commissioner Hawkins expressed support for selecting a former commissioner and Commissioner Ashcraft stated the application period needs to be open to everyone, not just a former commissioner.

Mr. Carrino suggested holding off and appointing in November the winner of the Seat #4 election.

Commissioner Hawkins expressed concern regarding waiting due to some time that he would be away and that would leave only three Commissioners.

Attorney Garcia responded that the language of the charter makes it clear someone needs to fill the seat until the next general election.

Vice Mayor Lee expressed support for appointing a former commissioner.

Commissioner Ashcraft emphasized his preference for not limiting the applicants to former commissioners.

Commissioner Hawkins expressed concern about the Commission being able to make progress during the interim.

Mayor Holland stated he understood the desire to appoint someone who already has experience but agreed with the desire to open the applications to everyone. He noted that the interview process could help weed out the applicants.

Further discussion was held regarding the interview and application process. It was noted that previous application periods were all opened to the public.

Mr. Carrino asked Attorney Garcia whether or not the Commission could legally open the application period only to former commissioners with Attorney Garcia responding that it wouldn't have to be advertised that way. The applications could be reviewed and more weight given to applicants that have prior experience.

Discussion was held regarding the wording for the application period advertisement with Mr. Carrino noting that each Commissioner can have their own preferences for who to select and Attorney Garcia stating that the application advertisement can only be limited to those people who would qualify to serve as a commissioner.

Discussion was held regarding whether or not they could just appoint someone rather than opening up the application process.

Mayor Holland stated they must make an appointment prior to the November election. They have two options - appoint a former commissioner or open the application period to the public the way it has always been done.

Discussion was held regarding whether or not the candidates would be eligible to apply for appointment with Attorney Garcia saying they could not limit the applicants other than that they must be qualified to be a commissioner.

Discussion was held regarding the timeframe involved and when to hold a special meeting to conduct interviews. Following discussion it was a consensus to hold the special meeting on September 11th at 5:30 p.m. It was confirmed that an applicant would need to appear in person for the interviews and that background checks would be conducted.

2. ADJOURNMENT: 5:55 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



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: SEPTEMBER 5, 2024

RE: RESOLUTION NUMBER 24-69: APPROVING A PURCHASE IN EXCESS OF \$50,000 FOR A PUBLIC UTILITIES REPLACEMENT VEHICLE

Introduction:

Resolution Number 24-69 approves an expenditure in excess of \$50,000 for a replacement vehicle that is essential to daily operations in the Water Distribution division of Public Utilities, and authorizes the City Manager to execute all agreements associated with the purchase.

Background:

The approved fiscal year 2023-2024 budget includes funds for the purchase of a replacement one-ton service truck for Public Utilities. The new service truck is replacing an unreliable, timeworn truck that has been scheduled for replacement.

The vehicle was chosen from a provided list of 2024 models. Pricing was quoted following the Florida Sheriff’s Association bids. The vehicle is to be purchased from Palmetto Ford of Miami through the Florida Sheriff’s Association Cooperative Purchasing Program.

<u>Replacement Vehicle</u>	<u>Price</u>
2024 F350 Regular Cab Service Truck	\$69,910

Recommended Action:

Staff recommends approval of Resolution Number 24-69.

Policy Implications:

Not applicable.

Budget/Staff Impact:

The funds were included in the approved Fiscal Year 2023-2024 budget for the purchase of this vehicle. The total cost of the vehicle is \$69,910, which falls within our budget. There will be additional costs for outfitting this vehicle, but sufficient funds are remaining.

042-8600-533-65-71	Water One Ton Service Truck	\$75,000
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Prepared By:

Olivia Kilgore – Administrative Assistant, Water Department

Reviewed By:

Paul Shepherd, Water Superintendent
Greg Dobbins, Deputy Director of Public Utilities
Sally Mayer, Public Utilities Admin

Attachments:

Resolution Number 24-69

Available Upon Request

Quotes

RESOLUTION NUMBER 24-69

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING A PURCHASE IN EXCESS OF \$50,000 FOR A PUBLIC UTILITIES REPLACEMENT VEHICLE.

WHEREAS, a replacement service vehicle is needed in Public Utilities for daily operations; and

WHEREAS, the City’s approved 2023-2024 budget includes funds for the purchase of a replacement vehicle; and

WHEREAS, the City of Eustis Purchasing Department obtained quotes in accordance with the City’s purchasing policies through utilizing piggyback options on government contracts; and

WHEREAS, the vehicle will be purchased from Palmetto Ford of Miami through piggybacking the Florida Sheriff’s Association Cooperative Purchasing Program; and

WHEREAS, the City of Eustis Purchasing Ordinance requires that the City Commission approve any purchase in excess of \$50,000.

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

- (1) The City Commission hereby authorizes a purchase in excess of \$50,000 for a replacement vehicle for Public Utilities; and
- (2) The City Commission hereby authorizes the City Manager to execute all agreements and contracts associated with the approved purchase; and
- (3) That this resolution shall become effective immediately upon passing.

DONE AND RESOLVED, this 5th day of September, 2024, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

ATTEST:

Michael L. Holland
Mayor/Commissioner

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 5th day of September 5, 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 has been reviewed and 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 24-69 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: September 5, 2024

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

Introduction:

Resolution Number 24-71 authorizes an expenditure in excess of \$50,000 for the process tank sediment removal and disposal and authorizes the City Manager to execute all related agreements.

Background:

This project includes funds for process tank sediment removal and disposal for the Wastewater Department. Regular cleaning of process tanks is essential to prevent the accumulation of residuals and containments, thereby avoiding major repairs and ensuring optimal operation and efficiency. The price of \$101,550 was quoted based on a contract secured through the Wastewater Department from U.S Submergent Technologies with the City of Orlando.

The description of work provided by U.S Submergent Technologies includes the following:

- USST will reach and remove material from agreed-upon structures utilizing industrial vacuuming as well as a trained and capable service crew.
- USST will provide mobilization and demobilization to and from the project site and to the disposal facility.
- USST will clean work area(s) to pre-project conditions up to completion of project.

Price was quoted following a contract secured through the Wastewater Department from U.S. Submergent Technologies with the City of Orlando; Contract Number IFB23-0211 for Reservoir Environmental Cleaning Services.

Removal and Disposal of Sediment Tank

Price: \$101,550.00

Recommended Action:

Staff recommends approval of Resolution Number 24-71.

Policy Implications:

Not applicable

Budget/Staff Impact:

The approved budget has allocated funds of \$101,550 for the removal and disposal of tank sediment. The funds will come out of Capital Account: 042-8600-535-66-41 Process Tank Grit Removal and Cleaning, which was budgeted for FY 2023-24 in the amount of \$200,000.

Prepared By:

Amanda Armento, Senior Staff Assistant – Wastewater Dept.

Reviewed By:

Michael Brundage, Wastewater Superintendent
Greg Dobbins, Deputy Director Water/Wastewater
Rick Gierok, P.E., Director of Public Works/City Engineer
Sally Mayer, Public Utilities Administration

Attachments:

Resolution Number 24-71

Available Upon Request

Quote
Contract

RESOLUTION NUMBER 24-71

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING A PURCHASE IN EXCESS OF \$50,000 FOR WASTEWATER PROCESS TANK SEDIMENT REMOVAL AND DISPOSAL.

WHEREAS, the City's approved Capital Improvement Budget for FY 2023-2024 includes funds for the purchase of process tank sediment removal and disposal; and

WHEREAS, the removal and disposal of the tank sediment will allow for optimal operation and efficiency; and

WHEREAS, the City of Eustis, Florida is in accordance with the City of Orlando Reservoir Environmental Contract Number IFB23-0211; and

WHEREAS, the City's approved budget has allocated funds of \$101,550 for this project; and

WHEREAS, City of Eustis Purchasing Ordinance requires that the City Commission approve any purchase in excess of \$50,000.

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 for process tank sediment removal and disposal utilizing budgeted funds from account number 042-8600-533-66-41; and
- (2) The City Commission hereby authorizes the City Manager to execute all agreements and contracts associated with the approved purchase; and
- (3) This resolution shall become effective immediately upon passing.

DONE AND RESOLVED, this 5th day of September, 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 5th day of September, 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 has been reviewed and 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 24-71 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: September 5, 2024

RE: 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

Introduction:

Resolution Number 24-72 authorizes an expenditure in excess of \$50,000 for the Crom Tank Renovation at the Ardice Water Treatment Plant, authorizes the City Manager to execute all related agreements, and authorizes a budget transfer in the amount of \$67,000.

Background:

This project includes funds for Ardice Water Treatment Plant Crom Tank Renovation. Renovation of the Crom Tank is essential in order to continue providing safe drinking water to the community. Per the 5-year inspection report from the Florida Department of Environmental Protection, the current state of the Crom Tank is at risk of falling into non-compliance. The inside baffle wall is also deteriorating and presents a safety hazard that will be eliminated with the Crom Tank renovation.

The description of work provided by CROM Water Infrastructure Solutions to perform the Crom Tank renovation includes the following:

- Repair Exterior Dome and Wall
- Rehabilitate Interior Wall
- Rehabilitate Interior CMU Baffle Wall
- Rehabilitate Interior Dome
- Rehabilitate Interior Plumbing and Manhole
- Install Safety Handrail System at Dome Hatch

The price of \$409,485 was quoted based on an estimate secured through the Purchasing Department from CROM Water Infrastructure Solutions and Sole Source Letter.

Recommended Action:

Staff recommends approval of Resolution Number 24-72.

Policy Implications:

Not applicable.

Budget/Staff Impact:

The approved budget has allocated funds of \$409,485 for FY 2023-2024 for the Ardice Water Treatment Plant Crom Tank renovation as shown below:

042-8600-533-66-51	Crom Tank Renovations	\$342,485
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The following Capital Project will be completed below budget and the following transfer is requested into Account 042-8600-535-66-51:

042-8600-535-66-41	Process Tank Cleaning	\$67,000
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The proposed budget transfer would result in a project balance of \$409,485.

Prepared By:

Amanda Armento, Sr. Staff Assistant – Wastewater Department

Reviewed By:

Max Brundage, Superintendent of Wastewater
 Rick Gierok, P.E., Director of Public Works, City Engineer
 Greg Dobbins, Deputy Director of Public Utilities
 Sally Mayer, Public Utilities Administration

Attachment(s):

Resolution Number 24-72

Available Upon Request

DEP Inspection Report
 Sole Source Letter
 Proposal

RESOLUTION NUMBER 24-72

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA TO APPROVE 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.

WHEREAS, the City’s approved Capital Improvement Budget for FY 2023-2024 includes funds for the Crom Tank renovations at the Ardice Water Treatment Plant; and

WHEREAS, the Crom Tank renovation is essential in order to continue providing safe drinking water to the community; and

WHEREAS, the City of Eustis, Florida retains a sole source letter from CROM Water Infrastructure Solutions; and

WHEREAS, the City’s approved budget has allocated funds of \$409,485 for this project; and

WHEREAS, Staff is requesting fund transfers totaling \$67,000 from the following Capital project: Process Tank Cleaning (042-8600-535-66-41) into Crom Tank Renovation project fund (042-8600-533-66-51); and

WHEREAS, City of Eustis Purchasing Ordinance requires that the City Commission approve any purchase in excess of \$50,000.

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 for Crom Tank renovations utilizing budgeted funds from account numbers 042-8600-533-66-51 and 042-8600-535-66-41; and
- (2) The City Manager is hereby authorized to approve a budget fund transfer totaling \$67,000 as follows:
 - a. From Account No: 042-8600-535-66-41 \$67,000
(Process Tank Cleaning)
 - b. Into Account No: 042-8600-533-66-51 Crom Tank Renovations
- (3) The City Commission hereby authorizes the City Manager to execute all agreements associated with the approved purchase; and
- (4) This resolution shall become effective immediately upon passing.

DONE AND RESOLVED, this 5th day of September, 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 5th day of September, 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 has been reviewed and 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 24-72 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

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



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: September 5, 2024

RE: RESOLUTION NUMBER 24-73: APPROVAL OF MODIFICATION TO PBA
COLLECTIVE BARGAINING AGREEMENT

Introduction:

Resolution Number 24-73 approves an agreement between the City of Eustis and the Police Benevolent Association (PBA), modifying Article 12 – Internal Investigations and Disciplinary Procedures, Article 16 – Grievance and Arbitration Procedure, Article 18 – Extra-Duty Employment, Article 23 - Compensation, Article 24 – Holidays, Annual Leave (Vacation) and Sick Leave, Article 26 – Pension, Article 27 – Entire Agreement and Duration as presented in Exhibit A, and authorizes the City Manager to sign said agreement.

Background:

Staff recommends approval of Resolution Number 24-73.

Recommended Action:

The Collective Bargaining agreement with the PBA expires September 30, 2024. The City received a timely request from the PBA to enter into negotiations.

On April 22, 2024 the City's negotiating team consisting of Tom Carrino, City Manager, Jeff Mandel, attorney at law, Fisher & Phillips, LLP, Captain Ken Toler, Eustis Police Department, Bill Howe, Human Resources Director, and Karen Crouch, Human Resources Coordinator met with representatives from the PBA and entered into negotiations.

After a series of collaborative meetings, the teams reached a tentative agreement modifying Article 12 – Internal Investigations and Disciplinary Procedures, Article 16 – Grievance and Arbitration Procedure, Article 18 – Extra-Duty Employment, Article 23 - Compensation, Article 24 – Holidays, Annual Leave (Vacation) and Sick Leave, Article 26 – Pension, Article 27 – Entire Agreement and Duration as presented in Exhibit A, and authorizes the City Manager to sign said agreement. On August 14, 2024, the PBA membership ratified the agreement as presented in the resolution and the substantive provisions are as follows:

1. Article 12 - The following language was added to the contract: *The City of shall comply with Florida State Statute Chapter 112.532, 112.553, 112.534 and 112.536.* These Statutes are a section of the Florida Statutes that covers the rights and privileges of law enforcement and correctional officers. The following language was removed from the contract: *Further, new hire probationary employees shall not be subject to the Law Enforcement Bill of Rights.*

2. Article 16 - Grievances will be processed in the following manner and strictly in accordance with the following stated time limits. Business days shall mean Monday through Friday, excluding weekends and holidays. The language in each step has changed from calendar days to business days. Additional changes are as follows.
 Step 1: The language changed from 10 calendar days to 15 business days of the occurrence of the event(s) or from when the grievant knew or should have known of the events which gave rise to the grievance for the aggrieved employee or the Union to present in writing the grievance to the aggrieved employee's Captain or his designee.
 Step 3: The language changed from 20 calendar days to 15 business days for the City Manager to issue his decision in writing after the meeting with the Grievant, the employee PBA Representative, and the PBA Staff Representative.
 The language has changed from 20 calendar days to 15 business days for the grievant to submit its notice of arbitration to the City Manager if the grievant is not satisfied with the City Manager's decision.

3. Article 18 - Bargaining unit employees who work a special detail that is paid for by an outside vendor will be paid \$45.00 per hour worked. If the employee works on a specific holiday, they will be paid \$50.00 per hour worked. Bargaining unit employees who work special detail and are assigned to work in a supervisory capacity will be paid \$50.00 per hour worked. If an employee in a supervisory capacity works on a specific holiday, they will be paid \$55.00 per hour.

4. Article 23 - A 9% increase to base wages effective October 1, 2024, and an additional \$600 to all Sergeants' base pay. Additional increases are as follows: Effective April 1, 2025, a 5% increase in bargaining unit employee's base wages and an additional \$600 to all Sergeants' base pay. Effective October 1, 2025 and October 1, 2026, a 5% increase in bargaining unit employee's base wages and an additional \$600 to all Sergeants' base pay.

5. Article 24 - A personal day is added to the authorized official holiday list for bargaining unit employees. PTO hours are increased to 88 hours due to the addition of one official holiday.

Bargaining unit employees who have more than 378 hours of accrued annual leave as of the effective date of the agreement will have the excess hours placed in an excess annual leave account to be used in the same manner as other annual leave and can be carried over from year to year. Going forward, employees who continue to earn hours and have more than 378 hours of accrued annual leave as of the end of month of the employee's full time anniversary date, shall forfeit any time over 378 hours.

6. Article 26 - Pension: the following language has been removed from the article. *(a) for the remainder of Fiscal Year 2019 20, the bargaining unit members' contributions shall be 5.5% of their annual compensation.* The following language has been added in its

place. (a) the bargaining unit members' contributions shall increase or decrease no more than 1% of their annual compensation for any fiscal year.

7. Article 27 - This agreement is for a three-year period through September 30, 2027.

Alternatives:

- 1. Approve Resolution Number 24-73
- 2. Deny Resolution Number 24-73 and provide further direction to staff

Budget/Staff Impact:

The approved FY 24/25 budget includes sufficient funding for the recommended increase in salaries and benefits. Budget impact for FY 24/25 is as follows:

FY 24/25 Pay Increase	
9% Increase on 10/1/2024	\$210,368
5% Increase on 4/1/2024	\$65,862
Pension	\$133,999
FICA	<u>\$21,131</u>
FY 24/25 TOTAL COST INCREASE	\$431,360

FY 25/26 5% Salary and Fringe benefit cost increase \$171,454

FY 26/27 5% Salary and Fringe benefit cost increase \$211,065

Staff Impact: There will be additional work for existing administrative staff that will have to process the pay increases and track vacation and holiday PTO usage and payment, but the work should not require overtime or additional personnel.

Prepared By:

Karen Crouch, Human Resources Director

Reviewed By:

Tom Carrino, City Manager

RESOLUTION NUMBER 24-73

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A MODIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF EUSTIS AND THE POLICE BENEVOLENT ASSOCIATION FOR THE PERIOD OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2027, AS SET FORTH IN EXHIBIT “A” AND AUTHORIZING THE CITY MANAGER TO SIGN SAID AGREEMENT.

WHEREAS, the City of Eustis received a timely request from the PBA to enter into negotiations; and

WHEREAS, the PBA and City administration entered into negotiations and have agreed to modifications of the collective bargaining agreement, for the period October 1, 2024 through September 30, 2027, as indicated in Exhibit A and

WHEREAS, the members of the Eustis PBA have ratified this agreement; and

WHEREAS, the City Commission has reviewed and considered the proposed agreement and accepts the proposed terms for approval.

NOW, THEREFORE, BE IT RESOLVED that the City of Eustis Commission hereby approves and authorizes the City Manager to sign the Collective Bargaining Agreement as set forth in Exhibit “A”, between the City of Eustis and the PBA for the period October 1, 2024 through September 30, 2027.

DONE AND RESOLVED, this 5th day of September, 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 5th day of September, 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 24-73 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

Collective Bargaining Agreement

Between



The Central Florida
Police Benevolent Association

and



The City of Eustis

October 1st, 2024 to September 30th, 2027

Classifications of Police Officer, Police Corporal
and Police Sergeant

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ARTICLE 1
PREAMBLE

This Agreement (hereinafter "Agreement" or "Contract") is entered into by and between the City of Eustis (hereinafter the "City") and the Florida Police Benevolent Association, Inc. (hereinafter the "Union" or the "PBA").

ARTICLE 2
RECOGNITION

2.1 The City recognizes the Union as the exclusive bargaining agent for all employees in the job classifications included in PERC Certification No. 1820 and that the City has the obligation to bargain solely and exclusively with the Union and/or its designees. All other persons not specifically included by the aforementioned certification shall be excluded from the bargaining unit and shall not be covered by the terms of this Agreement. The bargaining units covered hereunder shall be as follows:

INCLUDED: All full-time law enforcement personnel employed by the City of Eustis in the classifications of Police Sergeant, Police Corporal, Senior Police Officer, Police Officer II, and Police Officer.

EXCLUDED: All other employees of the City of Eustis, including the Chief of Police, the Police Captains, the Sergeant/Office of Professional Standards, Reserve Officers, and all non-law enforcement (civilian) personnel.

2.2 The Union recognizes that it has the obligation to bargain solely and exclusively with the City Manager and/or his designees and that, while the Union may express its positions to the City's elected officials, the Union has the obligation to refrain from any bargaining with the City's elected officials.

ARTICLE 3
SEVERABILITY

If any provision of this Agreement is rendered or declared invalid by any court action or by reason of any existing or subsequently enacted legislation, the remaining provisions of this Agreement shall remain in full force and effect for the term of this Agreement. In the event any provision of this Agreement is lawfully declared invalid, the City and the Union shall meet as soon as practicable to negotiate a replacement provision.

ARTICLE 4
NON - DISCRIMINATION

4.1 The parties agree that they will not illegally discriminate against any employee because of race, color, sex, national origin, religion, marital status, disability, age, or any other factor violative of applicable state or federal law. Nothing herein shall restrict the City from taking any action to promote or implement equal employment opportunity and affirmative action in accordance with applicable law.

4.2 The Union will not illegally discriminate against or harass any employee who does not choose to become a member of the Union.

4.3 There shall be no illegal discrimination, interference, restraint, or coercion by the City against any employee for his activity on behalf of, or membership in, the Union.

4.4 An alleged violation of paragraph 4.1 shall be processed through the City's established internal procedures for investigating and resolving alleged complaints of discrimination and the procedures established by state and federal discrimination laws. Alleged violations of paragraph 4.1 cannot be processed through the grievance procedure in this Agreement.

4.5 All references in the Agreement to employees of the male gender are used for convenience only and shall be construed to include both male and female bargaining unit employees.

ARTICLE 5
DUES DEDUCTION

5.1 Deductions – During the term of this Agreement, the City agrees to deduct PBA membership dues and other authorized deductions, if any, in an amount established by the PBA and certified in writing by the President of the Florida Police Benevolent Association or his designee from the pay of those employees in the bargaining unit who individually make such request on a written check-off authorization form provided by the PBA. Such deductions will be made by the City when other payroll deductions are made and will begin with the pay for the first full pay period following receipt of the authorization by the City.

- A. The PBA shall advise the City of any increase in dues in writing at least thirty (30) days prior to its effective date.
- B. This Article applies only to the deduction of membership dues and other authorized deductions, if any, and shall not allow the deduction of any fines, penalties, or special assessments.

5.2 Remittance – Deductions of dues and other authorized deductions, if any, shall be remitted exclusively to the President of the Florida Police Benevolent Association or his designee, by the City on either a biweekly or monthly cycle along with a list containing the names and social security numbers of the employees for whom the remittance is made.

5.3 Insufficient Pay for Deduction – In the event an employee's salary earnings within any pay period, after deductions for withholding, social security, retirement, health insurance, and other priority deductions, are not sufficient to cover dues and any other authorized deductions, it will be the responsibility of the PBA to collect its dues and uniform assessments for that pay period directly from the employee.

5.4 Termination of Deduction – Deductions for PBA dues and/or other authorized deductions shall continue until either:

- A. Revoked by the employee by providing the City and the PBA with thirty (30) days written notice that he is terminating the prior check-off authorization;
- B. Revoked pursuant to Section 447.507, Florida Statutes;
- C. The termination of employment; or
- D. The transfer, promotion, or demotion of the employee out of the bargaining unit.

5.5 Indemnification – The PBA shall indemnify, defend and hold the City, its officers, officials, agents and employees, harmless against any claim, demand, suit, or liability (monetary or otherwise) and for all legal costs arising from any action taken or not taken by the City, its officials, agents, and employees in complying with this Article. The PBA shall promptly refund

to the City any funds received in accordance with this Article which are in excess of the amount of dues and/or uniform assessments which the City has agreed to deduct.

5.6 Dues Check-Off Authorization Form – The Dues Check-off Authorization Form supplied by the PBA shall be the only form used by bargaining unit members who wish to initiate dues deduction and shall contain all the information required by the form prior to submission to the City. Any change in the Dues Check-off Authorization Form will not affect deductions authorized by previously existing forms.

The City will not be required to process Dues Check-off Authorization Forms that are:

- A. Not properly or completely filled out;
- B. Postdated; or
- C. Submitted to the City more than sixty (60) days following the date of the unit member's signature.

ARTICLE 6
BULLETIN BOARDS

6.1 The City shall furnish the Union with a space for a bulletin board (not to exceed thirty-six (36) inches by forty-eight (48) inches) at a mutually agreeable location in the Police Station.

6.2 The Union shall provide a bulletin board for the aforementioned location. The Union shall utilize the bulletin board only to post the following:

- A. Notice of Union meetings;
- B. Notice of Union elections and Union election results;
- C. Copies of the Union's Constitution and By-laws and Amendments thereto;
- D. Notice of recreational and social affairs of the Union;
- E. Copy of this Agreement;
- F. Notices of dues (changes);
- G. Names of Union officials (and changes thereto);
- H. Union newsletter (monthly, quarterly, annual, or special publication); or
- I. Minutes of Union meetings.

6.3 All materials placed upon the bulletin board by the Union will be on official Union letterhead and signed by the Union President or his designee. The Police Chief or his designee shall be furnished with a copy of any material to be posted prior to posting.

6.4 Under no circumstances shall the Union post any notice containing material of a political nature or material tending to directly or indirectly disparage or demean the City or any of its elected or appointed officials or employees.

ARTICLE 7
WORK STOPPAGES

7.1 There shall be no strikes, work stoppages, slowdowns, mass resignations, sickouts, or other job actions or refusal to perform assigned work by the employees covered under this Agreement.

7.2 The parties agree that any employee who participates in or promotes any of the aforementioned activities may be discharged or otherwise disciplined by the City. Nothing herein shall restrict the City from levying different disciplinary actions against different employees based on their involvement in activities prohibited hereunder.

7.3 Should there be any alleged violation of this Article, the Union shall promptly take appropriate action, within its authority, to remedy the situation, including publicly disavowing such action.

ARTICLE 8
MANAGEMENT RIGHTS

8.1 The City reserves and retains all rights, powers, prerogatives and authority customarily exercised by management to manage and direct any and all of its operations, except as expressly limited or modified by a specific provision of this Agreement.

8.2 Accordingly, the City specifically, but not by way of limitation, reserves to itself and retains the sole and exclusive right to:

- A. Determine the scope of the service, purpose and organizational structure of the Police Department, including merge, consolidate, expand, curtail, transfer, or discontinue operations, temporarily or permanently, in whole or in part, whenever the sole discretion of the City's good business judgment makes such curtailment or discontinuance advisable;
- B. Set minimum performance standards for service to be offered to the public, including minimum qualifications for positions;
- C. Change, modify or alter the composition and size of the work force;
- D. Determine the location, methods, means and personnel by which operations are to be conducted; determine whether and to what extent the work required in its operation shall be performed by employees covered by this Agreement;
- E. Change, increase, reduce, or combine job duties, tasks, or responsibilities for any job, so long as the duties, tasks, and/or responsibilities remain within the generic scope of law enforcement services and provide or amend job descriptions consistent therewith;
- F. Transfer, assign, schedule employees in positions within the organizational structure of the Police Department, and, in the case of light duty, anywhere within the organizational structure of the City;
- G. Hire, examine, classify and/or otherwise determine the criteria, qualifications and standards of selection for employment;
- H. Require any and/or all bargaining unit employees to submit to an examination and/or testing by a health care professional based upon the reasonable belief that the employee may be unable to perform any or all of his assigned job duties, or as part of any periodic or routine physical, as allowed by law;
- I. Promote and/or otherwise establish criteria and/or procedures for promotions within and without the bargaining unit; and determine the number and types of positions as well as the number and types of positions in each classification in any plan which is or may be developed by the City;

- J. Lay off and/or relieve employees from duty due to lack of work, lack of funding or for other legitimate reasons;
- K. Determine the allocation and content of job classifications; and determine all training parameters for all City positions, including persons to be trained and the nature, extent and frequency of training;
- L. Contract and/or subcontract any existing or future work;
- M. Fire, demote, suspend or otherwise discipline employees for proper cause;
- N. Control the use of equipment and property of the City and determine the maintenance procedures, materials, facilities, and equipment to be used, and introduce new or improved services, maintenance procedures, materials, facilities and equipment;
- O. Determine the number and classifications of employees assigned to any shift, station or piece of equipment;
- P. Take whatever action may be necessary to carry out the mission and responsibility of the City in unusual and/or emergency situations; and
- Q. Exercise all management rights and prerogatives as determined by the Public Employees Relations Commission, and the state and federal courts of competent jurisdiction.

8.3 The above rights of the City are not all-inclusive, but indicate the type of matters or rights which belong to and are inherent in the City in its general capacity as management, except as expressly limited or modified by a specific provision of this Agreement.

8.4 If the City fails to exercise any one or more of its functions from time-to-time, this will not be deemed a waiver of the City's right to exercise any or all of such functions.

8.5 If, in the sole discretion of the City Manager, it is determined that civil emergency conditions exist, including, but not limited to, riots, civil disorders, hurricane conditions, or any similar or dissimilar catastrophe, the provisions of this Agreement may be suspended by the City Manager during the time of the declared emergency, provided that wage rates and monetary fringe benefits shall not be suspended.

8.6 The exercise of the management rights set forth above shall not preclude the Union or any employee covered hereunder from filing a grievance under the Grievance and Arbitration Procedure herein should the Union or the employee feel that the action taken by management violated a specific provision of this Agreement.

ARTICLE 9
RULES AND REGULATIONS

9.1 The employees covered hereunder shall comply with all rules, regulations, policies, procedures and operating bulletins of the City or the Department, and any amendments thereto, except as superseded or modified by this Agreement.

9.2 Should the City or the Department amend or modify any of the aforesaid rules, regulations, policies, or procedures, a courtesy copy of any such new (or amended) rule, regulation, policy, procedure, or operating bulletin shall be mailed or delivered to the Union (or the Union's designee) at least ten (10) business days prior to implementation. Nothing herein shall restrict the City or the Department from implementing any new (or amended) rule, regulation, policy, procedure, or operating bulletin prior to the expiration of ten (10) business days if operational necessity requires such earlier implementation. The Union shall have the right to bargain over the impacts of any negotiable changes in accordance with applicable law.

9.3 The Union shall be furnished a copy of all current and subsequently amended written rules, regulations, policies, procedures, and operating bulletins pertaining to employer-employee relations and distributed to members of the bargaining unit.

9.4 No disciplinary action will be taken for a violation of a new (or amended) rule, regulation, policy, procedure, or operating bulletin until the passage of at least forty-eight (48) hours after dissemination to the employees. For the purpose of this Article, dissemination of such new (or amended) rule, regulation, policy, procedure, or operating bulletin shall be via electronic mail, telecommunication, station briefing, bulletin board posting, personal distribution, or any other appropriate means.

ARTICLE 10
UNION BUSINESS

10.1 The City shall recognize two (2) bargaining unit employees as PBA Representatives to represent bargaining unit employees. A written list of the employee PBA Representatives, the PBA Staff Representative, the PBA Officers, the PBA Attorney, and PBA Board Members shall be furnished to the Human Resources Director and the Police Chief prior to the effective date of the PBA Representatives and officials assuming their duties. Prompt written notification of changes of the employee PBA Representatives and other PBA officials designated above shall be provided to the Human Resources Director and the Police Chief. No employee PBA Representative or official will be recognized by the City unless such written notification was presented prior to such Representative or official assuming his duties.

10.2 The employee PBA Representatives shall be paid by the City only when they perform assigned law enforcement duties and/or work directed by the City. To the extent that these employees wish to perform Union duties (such as negotiations, grievance processing, attending Union conventions, etc.) during their normal work schedules, they may utilize vacation leave; provided, however, that they comply with the rules otherwise applicable to vacation leave. The Chief of Police may, in his sole discretion, approve employees during their normal work schedules to attend negotiations, provided that no overtime occurs and work load permitting. The employee PBA Representatives shall not be required to utilize vacation leave where their attendance at meetings during working hours is specifically requested by the City.

10.3 Nothing contained in this Agreement shall preclude any employee from discussing a problem directly with his immediate non-bargaining unit supervisor or any other Departmental official without the intervention of the Union. Any resolution made by an employee covered hereunder with his non-bargaining unit supervisor, shall not be inconsistent with the terms of this Agreement, nor shall the resolution set a precedent for the settlement of any other disagreement involving the same or other employees, and no such resolution by an employee without the intervention of the Union shall change or adversely impact the terms and conditions under this Agreement.

ARTICLE 11
GROOMING

11.1 The grooming standards set forth in Police Department General Order 3.4:5 shall apply to the bargaining unit employees.

11.2 The parties agree that members of the bargaining unit may grow beards. All beards must be kept trimmed and have a professional appearance, and may not be more than ½” in depth.

ARTICLE 12
INTERNAL INVESTIGATIONS AND DISCIPLINARY PROCEDURES

12.1 The City may discipline employees for proper cause which shall be defined as any reason provided for in City, Departmental and Divisional policy, rules, and regulations or other Articles of this Agreement as long as such reasons are not in specific conflict with a written provision in this Agreement. The Grievance and Arbitration Procedure in Article 16 shall be the exclusive procedure to contest disciplinary actions, and only discipline which results in suspension, non-probationary demotion, or termination may be taken to arbitration by the Union as set forth in Article 16.

12.2 All employees covered hereunder shall be subject to City and Departmental Rules and Regulations.

12.3 Employees shall have the right to request Union representation at all meetings with management in which disciplinary action to the employee may result. Interrogations of employees under formal investigation for conduct in which disciplinary action may result shall be in accordance with the Florida Law Enforcement Officers Bill of Rights, Chapter 112, and City and Departmental Policies and Procedures. This will include providing the employee with any and all written or recorded witness statements relating to the incident under investigation. The City shall comply with Florida State Statute Chapter 112.532, 112.533, 112.534 and 112.536.

12.4 Prior to any suspension or termination, an employee shall be advised of the allegations against him and be provided with an opportunity to respond to such allegations to a member of the Command Staff (i.e., Captain or above). In any meeting with a member of the Command Staff to respond to such allegations, the employee, if he requests, shall be allowed representation.

12.5 There shall be no disciplinary action entered into an employee's personnel file without the employee being made aware of such action. Upon request, the City shall provide the employee with a copy of any notice or report of disciplinary action placed in the employee's personnel file.

12.6 No disciplinary action shall be taken against an employee unless and until the employee is so notified. Disciplinary action, other than termination, shall not be effective until exhaustion of the right to grieve if pursued, up to and including completion of Step 3 of the Grievance process, as set forth in Article 16.

12.7 Bargaining unit employees serve at the will and pleasure of the City during their new-hire probationary period (i.e., twelve months and any extension thereof imposed by the Police Chief, not to exceed 120 calendar days). As such, new-hire probationary employees may be disciplined or discharged with or without cause, and with or without notice.

12.8 The City has established in Department Policies and Procedures a voluntary expedited investigation process, which allows for resolution of alleged violations prior to formal investigation, or voluntary expedited discipline process, which allows for resolution of disciplinary

level upon completion of formal investigation. Such process established must provide that (1) the alternate resolution process be voluntary for both employee and the City; (2) all resolutions be mutually agreed to and reduced to writing signed by the employee, the City, and the Union if representing the employee; (3) no grievance may be pursued or filed if a mutual agreement is reached; and (4) any discussions in the resolution process may not be used or relied upon in the discipline or grievance process if no mutual agreement is reached.

ARTICLE 13
LAYOFFS AND RECALLS

13.1 Layoffs shall be in accordance with Section 8.01(H), and recalls shall be in accordance with Section 8.02 of the City's Personnel Rules and Regulations, and this Article.

13.2 When it becomes necessary for a reduction in force in the bargaining unit ranks, the following will be the order of layoff subject to any requirements of applicable law:

- A. Temporary or part-time sworn employees will be laid off first;
- B. Probationary sworn employees will be laid off next;
- C. Full-time non-probationary sworn employees with the least seniority in the rank will be laid off next.

13.3 The City may deviate from paragraph 13.2.C, if the least senior sworn employees have necessary certifications (e.g., THI) or serve in specialty units or positions (e.g., FTO, SWAT, Detective).

13.4 Should a lay-off occur in the classifications of Sergeant or Corporal, the employee selected for layoff shall be allowed to return to the next lower rank previously held and, where necessary, bump the least senior employee in that lower rank subject to paragraph 13.3.

13.5 Bargaining unit employees shall be recalled in the inverse order of their lay-off and shall have precedence for recall over applicants in the eligibility pool for a period of twelve (12) months from the date of their lay-off. Notice of recall shall be sent in writing to the laid-off employees last known address by certified mail. Any laid-off employee whose response to the offer of recall is not received within ten (10) working days of the date that the notice is sent, or who declines the offer of recall, shall lose their recall rights.

ARTICLE 14
TRANSFERS

14.1 Transfers to and from specialty units shall be within the exclusive discretion of the Police Chief, or his designee and this Article.

14.2 Vacancies in specialty units shall be posted for at least ten (10) calendar days prior to the actual selection. Qualifications for the particular vacancy shall be included in the posting. Employees requesting consideration for the vacancy shall submit a letter of interest to the Police Chief or his designee in charge of the specialty unit. The final selection shall be made by the Police Chief or his designee from among the qualified individuals who submitted a letter of interest within the time frame contained in the posting.

ARTICLE 15
PERSONNEL RECORDS

15.1 All personnel records shall be kept in conformity with Florida Statutes. There shall be only one official Human Resources personnel file for each unit employee, which shall be maintained in Human Resources. This shall not preclude a Departmental and/or supervisory file from being kept.

15.2 If any disciplinary record is placed in a bargaining unit employee's official Human Resources personnel file, the employee will have the right to place a response in the file.

15.3 A unit employee will have the right to review his official Human Resources personnel file and his Departmental and/or supervisory file at reasonable times under the supervision of the designated records custodian, to the extent permitted by law.

15.4 Where the City/Department, the Public Employees Relations Commission, the courts, an arbitrator, or other statutory authority determines that a document has been placed in the employee's personnel file in error or is otherwise invalid, any required changes shall be marked on such document or noted in other documents to be included and maintained in the employee's official Human Resources personnel file.

15.5 Whenever a request is made by a person not employed by the City/Department to review a bargaining unit employee's official personnel file or professional standards file, notice of the request shall be provided to the employee.

15.6 Letters of counseling, oral reprimands, supervisory notes, and contact forms are not formal discipline and cannot be relied upon as a basis to raise progressively the level of discipline for a violation. Letters of counseling, oral reprimands, supervisory notes, and contact forms may be appealed by the employee through the chain of command to the Chief of Police who shall make the final decision regarding the appeal. Such materials whether maintained in paper or electronic format are appropriately utilized in evaluating the performance of an employee or documenting adherence to an agency's policies and procedures. A letter of counseling or counseling notice shall be maintained in the employee's City and/or Department personnel file.

ARTICLE 16
GRIEVANCE AND ARBITRATION PROCEDURE

16.1 Bargaining unit employees will follow all written and verbal orders given by superiors even if such orders are alleged to be in conflict with the Agreement. Compliance with such orders will not prejudice the right to file a grievance within the time limits contained herein, nor shall compliance affect the ultimate resolution of the Grievance.

16.2 A "grievance" is a claimed violation of a specific provision of this Agreement, including but not limited to the claim that a discharge, non-probationary demotion or suspension violated a City Policy, procedure, or rule or a specific written provision of this Agreement. No grievance will or need be entertained or processed unless presented in the manner described herein, and unless filed in a manner provided herein within the time limit prescribed herein. A grievance may be filed by a bargaining unit employee or by the Union; however, only the Union may advance a grievance to arbitration. Grievances which are filed by the Union on behalf of the Union itself or the entire bargaining unit shall be filed with the Chief of Police or his designee at Step 2, within the time period prescribed in Step 1. Those matters which are not covered or addressed by this Agreement and which have a separate grievance process established by City or Department policy (such as performance appraisals, claims of discrimination as set forth in Article 4.1, etc.) shall not be subject to this grievance procedure.

16.3 Grievances will be processed in the following manner and strictly in accordance with the following stated time limits. Business days shall mean Monday through Friday, excluding weekends and holidays.

STEP 1: An aggrieved employee or the Union shall present in writing the grievance to the aggrieved employee's Captain or his designee within fifteen (15) business days of the occurrence of the event(s) or fifteen (15) business days from the date the grievant knew or should have known of the events which gave rise to the grievance on the prescribed grievance forms which shall be standard forms used throughout the grievance procedure. Upon receipt of the grievance, the Captain or his designee shall forward a copy of the grievance to the Chief of Police. The grievance shall be signed by the employee and shall state: (a) The date of the alleged events which gave rise to the grievance; (b) the specific Article or Articles and paragraphs of this Agreement or City policy, procedure or rule related to discharge, non-probationary demotion or suspension allegedly violated; (c) statement of fact pertaining to or giving rise to the alleged grievance; and (d) the specific relief requested. The Captain or his designee shall, within ten (10) business days after presentation of the grievance, render his decision on the grievance in writing with copies to the grievant (if an individual employee), the Union, the Chief of Police, and the Human Resources Director.

STEP 2: Any grievance which cannot be satisfactorily settled with the Captain or his designee shall then be taken up with the Chief of Police or his designee. The grievance as specified in writing in Step 1 above, shall be filed with the Chief of Police or his designee within ten (10) business days after the due date for the Captain's response in Step 1 above. The Chief of Police or his designee shall meet or correspond with the grievant within ten

(10) business days from the time the grievance was submitted (whether it be an individual employee or the Union) and the Union designated PBA representative and shall, within ten (10) business days after such meeting or correspondence, render his decision on the grievance in writing, with copies to the Grievant (if an individual employee), the Union, and the Human Resources Director.

STEP 3: Any grievance which cannot be satisfactorily settled in Step 2 above shall then be taken up with the City Manager or his designee. The grievance as specified in writing in Step 1 above shall be filed with the City Manager within ten (10) business days after the due date for the Chief of Police's Response in Step 2 above. The City Manager or his designee shall meet with the grievant, the employee PBA Representative, and the PBA Staff Representative (non-employee) within ten (10) business days from the time the grievance was submitted prior to issuing his decision, and the City Manager shall issue his decision in writing within fifteen (15) business days after such meeting with copies to the Grievant, the Union, the Police Chief, and the Human Resources Director. The City Manager response shall include reasons if a grievance is denied in whole or part.

16.4 If the grievant (whether it be the Union or an individual employee) is not satisfied with the City Manager's decision in Step 3 above, the Union may submit its notice of arbitration by hand delivery or by facsimile (with simultaneous mailing by regular mail) or by certified or registered mail of a written notice to the City Manager within fifteen (15) business days of receipt of the City Manager's written decision. Said written notice of arbitration shall include a written statement of the position of the Union with respect to the issues upon which arbitration is being sought. Under no circumstances shall the issues to be arbitrated be expanded from the issues set forth in the original grievance filed at the appropriate Step of the grievance procedure. To the extent permitted by applicable law, the arbitration procedure shall be exclusively reserved to the Union. Only disciplinary actions involving suspension, non-probationary demotion or termination may be subject to arbitration.

16.5 Within ten (10) business days from receipt of such notice of arbitration, the party requesting arbitration shall request a list of nine (9) qualified arbitrators with residences in Florida from the Federal Mediation and Conciliation Service. The Union and the City will alternately eliminate one at a time from said list of names, with the party requesting arbitration going first, persons not acceptable, until only one (1) remains and this person will be the arbitrator. Either party may request one (1) additional panel.

16.6 As promptly as possible after the arbitrator has been selected, he shall conduct a hearing between the parties and consider the grievance. The decision of the arbitrator will be served upon the individual employee or employees involved, the City and the Union in writing. It shall be the obligation of the arbitrator to make his best effort to rule within thirty (30) calendar days after the hearing. The expenses of the arbitration, including the fee and expenses of the arbitrator, shall be equally divided between the parties. Any party desiring a transcript of the hearing shall bear the cost of such transcript unless both parties mutually agree to share the cost. Each party shall be exclusively responsible for the compensation and expenses of its own witnesses and of its own representatives for purposes of the arbitration hearing.

16.7 The arbitrator will confine his consideration and determination to the written grievance presented in Step 1 of the grievance procedure. The arbitrator shall have no authority to change, amend, add to, subtract from, or otherwise alter or supplement this Agreement or any part thereof or amendment thereto. The arbitrator shall have no authority to consider or rule upon any matter which is stated in this Agreement not to be subject to arbitration or which is not a grievance as defined in this Agreement; nor shall this Collective Bargaining Agreement be construed by the arbitrator to supersede applicable state and federal laws.

16.8 The arbitrator may not issue declaratory opinions and shall confine himself exclusively to the grievance which is presented to him, which grievance must be actual and existing. The party filing the grievance and requesting arbitration shall, at all times, have the burden of proving that a specific provision of this Agreement or City Policy, procedure, or rule related to discharge, non-probationary demotion or suspension was violated. The arbitrator's decision shall be final and binding; provided, however, that either party shall be entitled to seek review of the arbitrator's decision in the Circuit Court.

16.9 No decision of any arbitrator or of the City in any one case shall create a basis for retroactive adjustment in any other cases. All claims for back wages shall be reduced by any unemployment compensation and/or interim earnings that the grievant may or might have received during the period involved.

16.10 The resolution of any grievance by the arbitrator or by the parties resulting in retroactive adjustment, including back wages, shall be limited to a thirty (30) day period prior to the date of the filing of a grievance at Step 1 or Step 2, whichever is the initial step.

16.11 It is agreed with respect to this grievance and arbitration procedure that:

- A. It is the intent of the parties that a grievance must be raised at the earliest possible time. Any grievance that is to be entertained and processed must be submitted in a timely manner by the grievant (whether the grievant be the Union or an individual employee).
- B. Grievances not submitted by the grievant in a timely manner shall be conclusively barred on the merits following the expiration of the prescribed time limit. Such a time barred grievance need not be entertained or processed, and only facts disputed as to timing will be the subject of any arbitration resulting from the matter. A grievance which is for any reason not the subject of a timely response by the City or by the Department shall require the grievant to proceed to the next step.
- C. The City and the Union may, by mutual written consent, agree to extend the time limits set forth in this Article for presenting or responding to a grievance.
- D. Failure by management to adhere to the time limits set forth herein, shall authorize the grievant to process the grievance to the next step.

16.12 Nothing in this Agreement shall prohibit the presence of a Union Staff representative at all steps provided in this procedure.

16.13 Neither the Union nor the City shall have any obligation to pay any legal or arbitration fees and/or costs on behalf of any bargaining unit employee who advances a grievance on his own. Such fees and/or costs shall be borne by the individual.

16.14 The Grievance and Arbitration procedure set forth herein shall be the sole and exclusive procedure available to bargaining unit employees to contest any alleged violation of this Agreement, including, but not limited to, any claim involving a discharge or other disciplinary action. The parties hereby agree that the City's grievance and/or appeals procedures shall not be applicable or available to the employees covered by this Agreement.

16.15 Neither new-hire probationary employees on their own, nor the Union on their behalf, shall have the right to file a grievance or arbitrate any disciplinary action, including termination, of probationary employees.

ARTICLE 17
SENIORITY

17.1 Departmental Seniority, as used herein, is defined as the time accruing to bargaining unit employees through continuous sworn fulltime service while employed by the Department.

17.2 Rank Seniority, as used herein, is defined as the time accruing to bargaining unit employees in a specific rank and shall start on the day of promotion or demotion to that rank.

17.3 Seniority shall continue to accumulate during approved absences due to illness, injury, vacation leave, FMLA, military leave and approved administrative leave.

17.4 Departmental and rank seniority shall be used only for the purposes specified in this Agreement.

17.5 In the event that two (2) or more bargaining unit employees in the same patrol shift or specialty unit (e.g., criminal investigations), and with the same classification, request the same time period off and the requests are received at the same time, the more senior employee's request will be given preference. When multiple bargaining unit employees with the same seniority request the same time off, the Division Head (Captain) will make the final decision. The Division Head shall respond to the request for leave within a reasonable time.

17.6 Once a request for vacation is approved, a request by a more senior employee in the patrol shift or specialty unit may not override the approval.

ARTICLE 18
EXTRA-DUTY EMPLOYMENT

18.1 Extra-duty, employment of all types shall be governed by Section 5.05 of the City's Personnel Rules and Regulations, Departmental Rules, and Departmental General Order 4-5 to the extent not in conflict with this Article.

18.2 For working any law enforcement extra details for outside vendors scheduled through or facilitated by the City and paid by outside vendors, the special detail rate that bargaining unit employees shall receive will be \$45 per hour. Bargaining unit employees assigned by management to work in a supervisory capacity shall receive \$50 per hour.

18.3 Bargaining unit employee shall be guaranteed a minimum of three (3) hours for each approved law enforcement extra-duty detail.

18.4 Bargaining unit employees shall receive \$50 per hour for extra-duty details worked on the actual day of the following holidays: New Year's Day, Memorial Day, Easter, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve, Christmas Day, and New Year's Eve. Bargaining unit employees assigned by management to work in a supervisory capacity on the actual day of these holidays shall receive \$55 per hour.

ARTICLE 19
WORKING IN A HIGHER CLASSIFICATION

19.1 Bargaining unit employees assigned by a Captain or the Police Chief to work in a higher classification shall receive additional compensation of an increase of 5% or an increase to the starting salary of the new position, whichever is greater, after temporary assignment for a continuous period of fourteen (14) calendar days. After the fourteen (14) calendar days, such increase shall be retroactive to the date of assignment.

ARTICLE 20
DRUG AND ALCOHOL TESTING

20.1 Bargaining unit employees shall be governed by Section 5.07 of the City's Rules and Regulations governing drug and alcohol use and testing.

ARTICLE 21
DEPARTMENT ASSIGNED VEHICLES

21.1 Use of Department assigned vehicles, including participation in the Take Home Vehicle Program shall be governed by Departmental General Order 18.3.

21.2 Department vehicles may be authorized by management for approved law enforcement extra-duty details.

ARTICLE 22
HEALTH INSURANCE

22.1 Bargaining unit employees shall be provided health insurance in the same manner and on the same terms, conditions, and costs as provided to non-management, non-bargaining unit employees of the City.

ARTICLE 23
COMPENSATION

23.1 Fiscal Year 2024 - 2025

A. Effective October 1, 2024, all bargaining unit members shall receive a nine percent (9%) increase to base wages. Additionally, all Sergeants shall receive a \$600 increase to their base wages.

B. Effective April 1, 2025, all bargaining unit members shall receive a five percent (5%) increase to base wages. Additionally, all Sergeants shall receive a \$600 increase to their base wages.

23.2 Fiscal Year 2025 - 2026

A. Effective October 1, 2025, all bargaining unit members shall receive a five percent (5%) increase to base wages. Additionally, all Sergeants shall receive a \$600 increase to their base wages.

23.3 Fiscal Year 2026 - 2027

A. Effective October 1, 2026, all bargaining unit members shall receive a five percent (5%) increase to base wages. Additionally, all Sergeants shall receive a \$600 increase to their base wages.

23.4 If any bargaining unit member is promoted, they shall receive the minimum for the classification that they are being promoted into or a 5% salary, whichever is greater, at the time of promotion.

23.5 The range minimums and maximums of each bargaining unit classification for the duration of this Agreement shall be as provided in Appendix A.

Bargaining unit employees will not receive increases in addition to those provided in Article 23.1, 23.2 or 23.3 by virtue of these range increases.

23.6 Wage increases, if any, after the expiration of this Agreement shall be solely established through the collective bargaining process.

23.7 Bargaining unit employees who are assigned as the Leads for Traffic Homicide Investigators (THI) and SWAT shall receive a 5% assignment pay while so assigned.

23.7 Field Training Officers (FTO) shall receive a \$20 for each Daily Observation Report completed.

23.8 Each bargaining unit employee shall be allowed to purchase one pair of footwear of a type approved by the Department and not to exceed \$125. Bargaining unit employees may

request replacement of footwear once each subsequent year, and the Chief of Police (or his designee) shall review and approve such requests as needed.

ARTICLE 24
HOLIDAYS, ANNUAL LEAVE (VACATION), AND SICK LEAVE

24.1 The following holidays are authorized as official holidays:

New Year's Day
 Martin Luther King Day
 Memorial Day
 Independence Day
 Labor Day
 Veteran's Day
 Thanksgiving Day
 Thanksgiving Friday
 Christmas Eve
 Christmas Day
 Personal Day

Holidays for bargaining unit employees who work patrol shifts shall be recognized on the actual day of the holiday and not on any substitute holidays observed or designated by the City for general employees. Bargaining unit employees who work Monday thru Friday shall observe the holiday on the day designated by the City for general employees. Bargaining unit employees who work on a designated holiday shall receive time and one-half (1 ½) for all time worked on the holiday.

24.2 Eligibility for and Use and Payment of Holiday Pay/Holiday Paid Time Off shall be in accordance with Section 6.06(D) of the City's Personnel Rules and Regulations and as modified herein. Bargaining unit employees who work 2184 hours shall in accordance with Section 6.06(D)(5) receive 88 hours of PTO only for holidays instead of taking City observed holidays off with pay under Section 6.06(D)(1). The 88 hours of PTO shall be credited on October 1st and must be used by September 30th of each fiscal year or be forfeit. By October 31st each fiscal year, bargaining unit employees may designate in writing that they wish to convert some or all of the holiday PTO time to straight time holiday pay. PTO time designated for straight time holiday pay shall be paid out each September on the last paycheck of the fiscal year. Employees who separate from employment before September shall have any payout reduced by holidays occurring after separation. PTO and straight time holiday pay shall not count as hours worked for overtime purposes.

24.3 Bargaining unit employees shall accrue Annual Leave hours each month as follows:

<u>Years of Service</u>	<u>Accrual Rate</u>
0-6	8.40
7	9.1
8	9.8
9	10.5
10	11.2
11	11.9
12-14	12.6
15-19	14.18
20+	16.49

24.4 Annual Leave shall be handled in accordance with Section 6.05(A) Eligibility; 6.05(C) Charging; 6.05(D) Request for Leave; 6.05(E) Manner of Taking; and 6.05(F) Payment Upon Separation of the City's Personnel Rules and Regulations. Annual Leave shall be handled in accordance with 6.05(B) Calculation and Accrual; except that the maximum annual leave accrual for bargaining unit employees that can be carried over from year to year shall be 378 hours. Accrued leave in excess of 378 hours at the end of the last day of the month of their full-time hire anniversary date shall be forfeited. Bargaining unit employees who have more than 378 hours of accrued annual leave as of the effective date of this Agreement will have the leave in excess of 378 hours placed in an excess annual leave account to be used in the same manner as other annual leave.

24.5 Bargaining unit employees shall accrue 8.40 Sick Leave hours each month. An employee hired after the 15th of a month shall not accrue Sick Leave for that month.

24.6 Sick Leave shall be handled in accordance with Section 6.04(A) Eligibility; 6.04(B) Charging; 6.04(C) Requests; 6.04(D) Use; 6.04(E) Accrual; 6.04(F) Payment Upon Separation of the City's Personnel Rules and Regulations.

24.7 Family Medical Leave, Military Leave, and Workers' Compensation shall be in accordance with state and federal law and the City's Personnel Rules and Regulations.

24.8 Bargaining unit members shall be granted, upon approval by the Police Chief or designee, time off with pay in the event of a death in the immediate family, not to exceed three (3) consecutively scheduled working days within the state and five (5) consecutively scheduled working days for death out of state. The maximum paid funeral leave permitted any employee in one (1) calendar year shall be five (5) scheduled working days. Immediate family shall be defined as spouse, children, parents, brother/sister, grandparents, spouse's parents, son/daughter in law, legal guardian, or any relative living with the employee. Bargaining unit members may be granted additional time off with pay charged to annual leave at the discretion of the Police Chief or designee. Bargaining unit employees may be required to provide the Police Chief or designee with proof of death in the immediate family, as defined, before compensation is approved.

ARTICLE 25
HOURS OF WORK AND OVERTIME

25.1 For the purpose of this Agreement and the calculation of overtime compensation, the work period for employees in such classifications covered hereunder shall be fourteen (14) consecutive days. Patrol shall work twelve-hour (12) shifts for a total of eighty-four (84) hours in a work period. Only hours actually worked shall count toward the calculation of overtime and only hours worked in excess of eighty-six (86) hours in the fourteen (14) day work period shall be compensated at the rate of time and one-half (1 ½) of the employee's regular straight-time hourly rate.

25.2 Hours worked and designated by the Department as Special Overtime shall be paid at the overtime rate, regardless of the hours worked in a work period.

25.3 Bargaining unit employees shall be paid a minimum of two (2) hours or actual hours worked, whichever is greater, when bargaining unit employees are subpoenaed and have to appear at court, or other job-related legal proceedings, not during the bargaining unit employee's regularly assigned work hours.

25.4 Once assigned a regular non-temporary shift, absent exigent circumstances, a bargaining unit employee shall not be re-assigned to another regular non-temporary shift unless and until the bargaining unit employee has been given a ten (10) day notice of the re-assignment. Nothing herein prohibits a bargaining unit employee from being voluntarily re-assigned to another shift upon less than ten (10) days' notice.

25.5 Bargaining unit employees assigned to patrol or as a detective who are directed by management to be on-call as part of a weekly or bi-weekly rotation shall receive an on-call incentive of two (2) hours of additional base pay for each week they are on-call. Employees cannot receive more than one (1) on-call incentive in any week (e.g., an employee directed to be on-call in both patrol and detectives for the same week will receive only 2 hours of additional base pay). On-call hours credited to an employee will not be counted as hours worked for the purpose of calculating overtime.

25.6 Bargaining unit employees who are required to attend Department-scheduled two (2) hour in-service training during their scheduled day off shall be compensated at the rate of time and one-half (1-1/2) of the employee's regular straight-time hourly rate for the two (2) hours of in-service training.

ARTICLE 26
PENSION

26.1 Bargaining unit employees shall be provided pension benefits through the City of Eustis Municipal Police Officers' Pension and Retirement System as codified in Chapter 70, Article IV of the Code of Ordinances, unless specifically altered herein, which includes the following:

- A. Effective upon ratification of this Article by both parties, bargaining unit members shall contribute between 4.0% and 7.5% their annual compensation to the Police Officers' Pension and Retirement System. The members' contribution percentage shall be calculated based on the members paying 16% of the City's required contribution percentage as determined by the Pension and Retirement System's actuary as of October 1 of each year, subject to the following limitations: (a) the bargaining unit members' contributions shall increase or decrease no more than 1% of their annual compensation for any fiscal year.
- B. The amount of retirement income payable to a bargaining unit employee who retires on or after his or her normal retirement date shall be in an amount equal to the number of years of credited service multiplied by 2½ percent of his average final compensation for those years of service completed prior to January 1, 1989, and three percent of his average final compensation for those years of service completed subsequent to January 1, 1989.
- C. Commencing October 1, 2003, the benefit of each bargaining unit employee employed on or after October 1, 2003, shall be adjusted on each October 1 thereafter, as follows: for those bargaining unit employees who receive a cost-of-living adjustment under this section, the adjusted monthly benefit shall be the amount of the monthly benefit being received on September 30 immediately preceding the adjustment date plus an amount equal to three percent of this benefit.
- D. Bargaining unit employees shall be vested in the Police Officers' Pension and Retirement System after completion of ten years of service.
- E. Bargaining unit employees who are vested in the Police Officers' Pension and Retirement System shall have a normal retirement date the first day of the month coincident with or next following the earlier of attainment of age 55 or the attainment of the age of 52 and the completion of 25 years of qualified service.
- F. Bargaining unit employees who are vested in the Police Officers' Pension and Retirement System shall be eligible for early retirement upon attainment of age 50 and the completion of 10 years of credited service. Credited service and average final compensation shall be determined as of the early retirement date, but actuarially reduced to take into account the employee's younger age and the earlier commencement of retirement income payments.

- G. Average final compensation for full-time bargaining unit employees means one-twelfth of the average annual compensation of the 5 best years of the last 10 years of creditable service prior to retirement, termination or death. Annual compensation shall not include any compensation for off-duty employment.
- H. The benefit payable to a bargaining unit employee employed after October 1, 2003, regardless of vesting, who is totally and permanently disabled in the line of duty prior to his or her normal retirement date is the monthly income payable for ten years certain and life. The amount of his or her monthly benefit shall be the normal retirement benefit, but shall not be less than 65 percent of his or her average monthly salary as of his or her disability retirement date.
- I. The benefit payable to a vested bargaining unit employee who is totally and permanently disabled other than in the line of duty prior to his or her normal retirement date is the monthly income payable for ten years certain and life. The amount of his or her monthly benefit shall be the early retirement benefit, but shall not be less than 25 percent of his or her average monthly salary as of his or her disability retirement date.
- J. Sec. 70-108 of the Police Officers' Pension and Retirement System shall be amended to provide that only bargaining unit members employed between October 1, 2003 and the date of ratification of this Agreement by both parties shall be eligible for the cost of living adjustment benefit in Sec. 70-108 of the Police Officers' Pension and Retirement System.
- k. Sec. 70-112(f)(1) of the Police Officers' Pension and Retirement System shall be amended to provide that the bargaining unit members' base disability pension rate will be 45%, and increased by 2% each full year of the member's service, up to the maximum rate of 65%. The disability pension rate for disability resulting from malicious or intentional acts against the bargaining unit members as defined in Section 440.15(11), Fla. Stat., from physically engaging in an arrest, or from a non-preventable traffic crash shall remain unchanged in Sec. 70-112(f)(1) of the Police Officers' Pension and Retirement System.

26.2 The excess Chapter 185 premiums tax revenues shall continue to be allocated using the statutory default of 50 percent being applied to fund any unfunded actuarial liabilities of the Pension and Retirement System, and 50 percent being applied to the share plans as determined by the Pension Board.

ARTICLE 27
ENTIRE AGREEMENT AND DURATION

27.1 This Agreement contains the entire agreement of the parties on all matters relative to wages, hours, working conditions and all other matters which have been, or could have been negotiated by and between the parties prior to the execution of this Agreement.

27.2 This Agreement shall be effective upon final approval and execution by the parties or October 1, 2024, and shall remain in effect through the 30th day of September, 2027.

SIGNATURE PAGE

FOR THE CITY OF EUSTIS

Tomlarin
City Manager

8/23/24
Date

FOR THE FLORIDA PBA

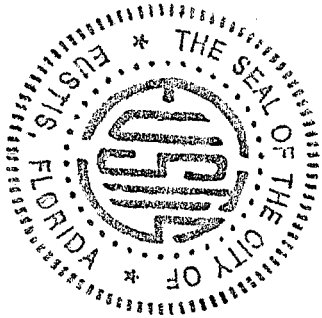
George J. Corwine
Chief Negotiator

August 14th, 2024
Date

ATTEST

Christen Keller
City Clerk

Approved by the Eustis City Commission by Resolution _____ on the _____ day of _____, 2024.



Appendix A

Police Officer	Effective 10/1/24 (9%)	Effective 4/1/25 (5%)	Effective 10/1/25 (5%)	Effective 10/1/26 (5%)
hourly rate	Starting \$26.00	Starting \$27.30	Starting \$28.66	Starting \$30.09
annual	\$56,773.84	\$59,612.53	\$62,593.16	\$65,722.81
hourly rate	Max	Max	Max	Max
annual	\$38.37 \$83,802.78	\$40.29 \$87,992.92	\$42.30 \$92,392.56	\$44.42 \$97,012.19
Senior Officer	Effective 10/1/24 (9%)	Effective 4/1/25 (5%)	Effective 10/1/25 (5%)	Effective 10/1/26 (5%)
hourly rate	Starting \$28.59	Starting \$30.02	Starting \$31.52	Starting \$33.10
annual	\$62,440.67	\$65,562.70	\$68,840.84	\$72,282.88
hourly rate	Max	Max	Max	Max
annual	\$40.41 \$88,246.29	\$42.43 \$92,658.60	\$44.55 \$97,291.53	\$46.77 \$102,156.11
Corporal	Effective 10/1/24 (9%)	Effective 4/1/25 (5%)	Effective 10/1/25 (5%)	Effective 10/1/26 (5%)
hourly rate	Starting \$30.35	Starting \$31.86	Starting \$33.46	Starting \$35.13
annual	\$66,276.93	\$69,590.78	\$73,070.32	\$76,723.83
hourly rate	Max	Max	Max	Max
annual	\$42.39 \$92,584.76	\$44.51 \$97,213.99	\$46.74 \$102,074.69	\$49.07 \$107,178.43
Sergeant	Effective 10/1/24 (9%)	Effective 4/1/25 (5%)	Effective 10/1/25 (5%)	Effective 10/1/26 (5%)
hourly rate	Starting \$32.71	Starting \$34.62	Starting \$36.62	Starting \$38.73
annual	\$71,429.58	\$75,601.05	\$79,981.11	\$84,580.16
hourly rate	Max	Max	Max	Max
annual	\$47.42 \$103,568.36	\$50.07 \$109,346.77	\$52.85 \$115,414.11	\$55.76 \$121,784.82



City of Eustis

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

TO: EUSTIS CITY COMMISSION
 FROM: Tom Carrino, City Manager
 DATE: September 5, 2024
 RE: Resolution Number 24-74: PBA Memorandum of Agreement

Introduction:

Resolution Number 24-74 approves an agreement between the City of Eustis and the Police Benevolent Association (PBA), modifying the PBA Collective Bargaining Agreement effective October 1, 2021 to September 30, 2024, and authorizes the City Manager to sign said agreement.

Background:

Staff recommends approval of Resolution Number 24-74.

Recommended Action:

The Collective Bargaining agreement with the PBA expires September 30, 2024. The City received a timely request from the PBA to enter into negotiations.

On April 22, 2024, the City's negotiating team consisting of Tom Carrino, City Manager, Jeff Mandel, attorney at law, Fisher & Phillips, LLP, Captain Ken Toler, Eustis Police Department, Bill Howe, Human Resources Director, and Karen Crouch, Human Resources Coordinator met with representatives from the PBA and entered into negotiations.

After a series of collaborative meetings, the teams reached a tentative agreement amending the PBA Collective Bargaining Agreement effective October 1, 2021 to September 30, 2024, Article 23 to reflect an additional 6% increase for all bargaining unit employees. After application of the 6% increases, bargaining unit employees in the classification of Sergeant will have an additional \$600 added to their base pay.

Article 23 of the collective bargaining agreement shall be amended for Fiscal Year 2023-24, to reflect the following pay ranges:

Police Officer	\$23.8489 hr - \$35.2030 hr	(\$52,086.09 - \$76,883.28 annualized)
Sr. Police Officer	\$26.2294 hr - \$37.0695 hr	(\$57,285.02 - \$80,959.90 annualized)
Corporal	\$27.8409 hr - \$38.8920 hr	(\$60,804.53 - \$84,940.14 annualized)
Sergeant	\$29.7433 hr - \$43.2538 hr	(\$64,981.26 - \$94,466.38 annualized)

Alternatives:

- 1. Approve Resolution Number 24-74
- 2. Deny Resolution Number 24-74 and provide further direction to staff

Budget/Staff Impact:

The current FY 23/24 budget will need to be modified for the recommended increase in salaries and benefits for the month of September 2024. Budget impact for FY 23/24 is as follows:

FY 23/24 Pay Increase	
6% Increase on 9/1/2024	\$13,854
Pension	\$6,721
FICA	<u>\$1,060</u>
FY 23/24 TOTAL COST INCREASE	\$21,635

Prepared By:

Karen Crouch, Human Resources Director

Reviewed By:

Tom Carrino, City Manager

RESOLUTION NUMBER 24-74

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A MODIFICATION OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF EUSTIS AND THE POLICE BENEVOLENT ASSOCIATION FOR THE PERIOD SEPTEMBER 1, 2024 THROUGH SEPTEMBER 30, 2024, AS SET FORTH IN EXHIBIT “A” AND AUTHORIZING THE CITY MANAGER TO SIGN SAID AGREEMENT.

WHEREAS, the City of Eustis received a timely request from the PBA to enter into negotiations; and

WHEREAS, the PBA and City administration entered into negotiations and have agreed to modifications of the current collective bargaining agreement, for the period October 1, 2021 through September 30, 2024 through a Memorandum of Agreement, as indicated in Exhibit A and

WHEREAS, the Eustis PBA representative has signed this agreement; and

WHEREAS, the City Commission has reviewed and considered the proposed agreement and accepts the proposed terms for approval.

NOW, THEREFORE, BE IT RESOLVED that the City of Eustis Commission hereby approves and authorizes the City Manager to sign the Memorandum of Agreement as set forth in Exhibit “A”, between the City of Eustis and the PBA for the period September 1, 2024 through September 30, 2024.

DONE AND RESOLVED, this 5th day of September 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 5th day of September 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, 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 24-74 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

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT (“Agreement”) is made and entered into by and between the City of Eustis (“City”) and the Florida Police Benevolent Association, Inc. (“PBA”).

WHEREAS, the City and the PBA are parties to a collective bargaining agreement effective October 1, 2021 to September 30, 2024; and

WHEREAS, the parties’ collective bargaining agreement sets forth specific wage increases for Fiscal Year 2023-24; and

WHEREAS, the City and the PBA would like to provide bargaining unit employees additional wage increases for Fiscal Year 2023-24;

NOW, THEREFORE, the parties agree that:

1. Article 23 of the collective bargaining agreement shall be amended for Fiscal Year 2023-2024 to reflect an additional 6% increase for all bargaining unit employees. After application of the 6% increases, bargaining unit employees in the classification of Sergeant will have an additional \$600 added to their base pay.

2. Article 23 of the collective bargaining agreement shall be amended for Fiscal Year 2023-2024, to reflect the following pay ranges:

Police Officer:	\$23.8489 hr. - \$35.2030 hr. (\$52,086.09 - \$76,883.28 annualized)
Sr. Police Officer:	\$26.2294 hr. - \$37.0695 hr. (\$57,285.02 - \$80,959.90 annualized)
Corporal:	\$27.8409 hr. - \$38.8920 hr. (\$60,804.53 - \$84,940.14 annualized)
Sergeant:	\$29.7433 hr. - \$43.2538 hr. (\$64,981.26 - \$94,466.38 annualized)


3. This Memorandum of Agreement and the pay provisions described above shall become effective September 1, 2024.



Tom Carrino, City Manager

8/6/24

Date



PBA Representative

August 6th, 2024

Date



City of Eustis

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

TO: EUSTIS CITY COMMISSION
 FROM: TOM CARRINO, CITY MANAGER
 DATE: SEPTEMBER 5, 2024
 RE: RESOLUTION NUMBER 24-64: TENTATIVE MILLAGE RATE FOR
 THE FISCAL YEAR 2024/25

Introduction

Resolution Number 24-64 establishes the TENTATIVE millage rate for FY 2024/25 as **7.5810** mills.

Recommended Action

Staff recommends approval of Resolution Number 24-64.

Background

Florida State Statutes require each taxing authority to set a millage rate annually for property taxation following required public hearings. The City Commission set the proposed rate of 7.5810 mills at the meeting of the Budget Workshop held on July 8, 2024. The Property Appraiser used that information to prepare TRIM notices distributed on August 21, 2024.

The current millage rate of 7.5810 has been consistent over the past eleven years.

Since last year, the adjusted tax roll (before new construction and annexation) increased by \$123,337,922, from \$1,499,362,895 to \$1,622,700,817. This year's total tax value revenue of \$12,669,864 represents an increase of 7.78%.

Based on that valuation, the Commission may consider any of the following options in setting a millage rate for the FY 2024/25 Fiscal Year:

1. The Current Millage Rate of 7.5810 mills. This rate would generate revenues sufficient to cover annual increases in normal city operating costs and allow for continuing current service levels. This rate can be approved with a two-thirds vote of the Commission (at least four commissioners) and would be advertised as a tax increase. This proposed millage rate is greater than the Roll-Back Rate and represents an increase of 7.78%.
2. The Roll-Back Rate of 7.0340 mills. This rate approximates prior year tax revenues less allowances for new construction, additions, deletions, annexations, and improvements. This rate can be approved with a majority vote of the Commission (at least three commissioners) and would not be advertised as a tax increase.

3. Some other millage rate between 7.0340 and 7.5810. Any rate over the Roll-Back rate would be advertised as a tax increase and requires a two-thirds vote of the Commission.
4. A millage rate over 7.5810 up to the maximum allowed rate of 8.1776 mills would require a two-thirds vote. However, the city would be required, at its own expense, to mail a revised TRIM notice to each taxpayer.

Staff recommends setting the FY 2024/25 millage rate at the current rate of 7.5810 mills to support the revenue assumptions of the proposed budget. State Law allows for a rate reduction during either or both public hearings in September. An increase to the proposed rate at the first hearing, per Florida Statutes 200.065, requires first-class mail notice to all taxpayers of the city since TRIM notices have already been mailed. This would endanger the city’s ability to adopt the final millage and budget in time to meet the State-mandated deadlines in September. This could result in the forfeiture of all Ad-Valorem revenue.

Adopting the current rate of 7.5810 mills, the city’s share of a home assessed with a taxable value of \$200,000, with homestead exemptions of \$50,000, would equate to an annual tax of \$1,137, or about \$3.12 per day, per Eustis taxpayer. This amount provides Police, Fire, Library, Parks & Recreation, Finance, Administration, Development Services, Human Resources, and Public Works department services. Using the same scenario, the Roll-Back Rate of 7.0340 mills would equate to an annual tax of \$1,055 or about \$2.89 per day per Eustis taxpayer. The difference of \$82 equates to a daily savings of \$0.22 and could possibly result in a reduction of services.

While the City of Eustis has the highest millage rate in the County, the City uses the Functional Millage Rate for comparison with other municipalities. The Functional Rate adds the transfers from the enterprise funds to the general fund, as well as the Fire Assessment Fees. As of this writing, the information for Leesburg, Mount Dora and Tavares is as follows:

Functional Millage Rate
Fiscal Year September 30, 2024/25
Millage Rate Comparison Northern Area Cities with One Billion in Property Values
Includes Millage Rate for Transfer and Fire Assessment

Taxing Authority	2024 Taxable Value as Reported October 1	Taxable Value Per 1,000	Rank		Transfer to the General Fund	Millage Rate Needed to accommodate Transfer to the General Fund	Fire Assessment Fees	Millage Value of Fire Assessment	Total Functional Millage	Rank Lowest to Highest Functional Millage Rate	
			Highest to Lowest Taxable Value	Lowest to Highest Millage Rate							
Leesburg	3,518,513,293	3,518,513	1	3.4752	1	9,950,133	2.8279	3,262,240	0.9272	7.2303	1
Eustis	1,671,265,493	1,671,265	4	7.5810	4	2,300,000	1.3762	-	-	8.9572	2
Mount Dora	1,981,312,586	1,981,313	2	6.6000	2	5,872,269	2.9638	1,976,844	0.9977	10.5616	3
* Tavares	1,731,865,984	1,731,866	3	7.4101	3	4,214,237	2.4334	1,988,917	1.1484	10.9919	4

* Tavares did not respond for the total estimated revenues for Fire Assessment Fees. Increases from the past two years averaged 2.5%.

As evidenced, the City of Eustis is number two in the lowest to highest ranking of Functional Millage Rate and is nearly the best in the area for cities our size. The city has maintained lower transfers, which help keep rates low for our residents and the cost of fire service is included in our millage rate.

The Proposed TENTATIVE Budget that will be presented immediately following the adoption of the Tentative Millage Rate was prepared with revenue estimates based on the current millage rate of 7.5810.

State Law requires two public hearings on the millage rate and budget. The first public hearing is on September 5, 2024, and the second is scheduled for September 19, 2024. The new fiscal year begins on October 1, 2024.

Alternatives

- 1. Set the TENTATIVE millage rate at the current rate of **7.5810** mills.
- 2. Set the TENTATIVE millage rate at the Roll-Back rate of **7.0340** mills.
- 3. Set the TENTATIVE millage rate at rate between **7.0340** and **8.1776** know that notification to all Eustis residents would be required for any tentative rate adopted over **7.5810** mills.

Budget and Staff Impact

Staff has prepared the FY 2024/25 budget using the current millage rate of 7.5810, resulting in an estimated increase in property taxes of \$ \$1,303,194 compared to the FY 2023/24 proposed tax estimates. If the millage rate is set lower than the 7.5810 proposed, it may require a reduction in Fund Balance or a reduction in proposed General Fund expenditures to balance the budget.

Prepared By:

Lori Carr, Finance Director

Reviewed By:

Mari Leisen, Deputy Finance Director

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.

WHEREAS, on September 5th, 2024, the City of Eustis, Lake County, Florida, held a public hearing on the FY 2024/25 TENTATIVE Millage Rate, as required by Florida Statute 200.065; and

WHEREAS, the City of Eustis of Lake County, Florida, adopted the FY 2024/25 TENTATIVE Millage Rate following the public hearing; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within the City of Eustis, Lake County, Florida, has been certified by the Lake County Property Appraiser to the City of Eustis as \$1,671,265,493.

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

SECTION 1

That the FY 2024/25 tentative operating millage rate is 7.5810 mills, which is greater than the rolled-back rate of 7.0340 mills and increases taxes by 7.78%.

SECTION 2

That this Resolution shall take effect immediately upon its adoption.

DONE AND RESOLVED this 5th day of September 2024, in the regular session of the City Commission of the City of Eustis, Lake County, Florida.

Time Adopted _____

**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 5th day of September 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 the use and reliance of the Eustis City Commission.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 24-64 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: SEPTEMBER 5, 2024
 RE: RESOLUTION NUMBER 24-65: ADOPTING A TENTATIVE BUDGET FOR THE FISCAL YEAR 2024/25

Introduction

Resolution Number 24-65 adopts the TENTATIVE Budget for FY 2024/25 after the required public hearing.

Recommended Action

Staff recommends approval of Resolution Number 24-65.

Background

Florida State Statutes require each taxing authority to adopt tentative and final budgets annually. The law also requires that the local governments hold a public hearing before adopting each of those budgets. The public hearings and adoption of the budget take place after the public hearing and adoption of the millage rates. The TRIM notice that was sent to all property owners in August, notified all Eustis property owners of the proposed millage rate and the date of the first public hearing on the millage. The city will advertise the adoption of the final budget and the notice of tax increase before the second public hearing per State law. The second and final hearing will be held on September 19, 2024.

The proposed tentative budget has been prepared based on Commission directives authorized at the Budget Workshops. Those directives include basing the budget on the current millage rate of 7.5810. The budget has been prepared in compliance with the requirements of the City Charter and appropriate State Statutes. It is consistent with the provisions of the City's Financial Policies adopted in 2015.

The General Fund Budget, as proposed, contains more expenditures than revenue for FY 2024/25. This is due to several one-time projects budgeted in FY 2024/25. The proposed tentative budget also includes funding for employee compensation increases, insurance increases, and the Capital Improvement Plan funding. The city will advertise the budget on the city website as State Law requires, and a copy will be provided to the Commission prior to the meeting.

Alternatives

1. Adopt Resolution Number 24-65 and approve the budget presented as TENTATIVE.
2. Direct staff to make specific changes to the budget and immediately adopt the revised version as TENTATIVE during the hearing.

Discussion of Alternatives

1. **Alternative 1** provides for adopting Resolution Number 24-65 and approving the budget presented as TENTATIVE.
 - a. Advantages:
 - i. The proposed tentative budget maintains all service levels and enhances Recreation by adding staffing and programs.
 - ii. There is funding to implement the City's Strategic Plan.
 - iii. There is funding to address employee pay increases based on performance and set forth a plan to bring the city's Police Department personnel to a wage that is competitive within Lake County.
 - iv. Operating revenues exceed operating expenditures by \$1,053,648. We have numerous one-time projects within the Water and Sewer Funds (Lakeshore Avenue galvanized main, CR 44 force main and a sewer cleaning truck), Street Improvement Fund (crosswalks/intersections, US441 / SR19 Cloverleaf improvements), CRA (Ferran Park seawall rehabilitation), Stormwater (street sweeper), Law Enforcement Impact Fund, Water and Sewer Impact Funds, Economic Development (matching grants/incubator) and Parks and Recreation (Corey Rolle Field improvements). All funds associated with the above have positive fund balances as of September 30, 2024. Many of them are designed to collect sufficient funds, which in turn are expended to cover large projects.
 - v. The Budgets are balanced and utilize reserve funds only as authorized by the City Commission.
 - b. Disadvantages:
 - i. Although the millage rate of 7.5810 mills is the same as the prior year, it exceeds the Roll-Back rate of 7.0340 mills and must be advertised as a tax increase of 7.78%.

2. **Alternative 2** directs staff to make specific changes to the budget and immediately adopt the revised version as TENTATIVE during the hearing. The budget must be revised accordingly if the Commission makes any changes.
 - a. Advantages:
 - i. Provides an opportunity for the Commission to revise the budget.
 - ii. Could provide an opportunity for further cost reductions, priority shifts, and reductions/changes in services.
 - b. Disadvantages:
 - i. If expenditures are increased, the millage rate may have to be increased.
 - ii. If expenditures are reduced, levels of service may have to be reduced accordingly.
 - iii. If expenditures are increased, the Commission must provide additional revenue from fund balance or other funding sources.
 - iv. A change in the millage rate could affect previously established City Commission priorities.
 - v. An increase in the millage rate could delay the adoption of the TENTATIVE Budget and hinder compliance with State Law.

Community Input

There will be sufficient time for input at the public hearings held before the tentative and final budgets are adopted. Sufficient time was allotted for input at all the preceding budget and millage-related Commission workshops.

Budget and Staff Impact

As presented, there are budgeted revenues and expenditures citywide of \$67,573,947 and \$66,588,362, respectively, estimated reserves of \$66,618,499, and fund balances totaling \$119,728,556 at the end of September 30, 2024.

Prepared By:

Lori Carr, Finance Director

Reviewed By:

Mari Leisen, Deputy Finance Director

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.

WHEREAS, on September 5th, 2024, the City of Eustis, Lake County, Florida, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the City of Eustis of Lake County, Florida, set forth the appropriations and revenue estimates for the Final Budget for the FY 2024/25 for \$118,742,971.

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

SECTION 1

That the FY 2024/25 TENTATIVE Budget is hereby adopted in the total revenue and expenditures in the amount of \$67,573,947 and \$66,618,499, respectively, with an estimated ending reserve balance of \$66,588,362 and a fund balance totaling \$119,728,556 as more particularly outlined in "EXHIBIT A," attached hereto and made a part hereof.

SECTION 2

That this Resolution shall take effect immediately upon its adoption.

DONE AND RESOLVED this 5th day of September 2024, in the regular session of the City Commission of the City of Eustis, Lake County, Florida.

Time Adopted_____.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

EXHIBIT A

CITY OF EUSTIS							
PROPOSED BUDGET							
ALL FUNDS BUDGET SUMMARY							
FISCAL YEAR 2024-2025							
Fund No.	Fund Name	Est. Beginning Fund Balance	Revenues	Less: Expenditures	Less: Reserves	Estimated Available Fund Balance	Available Fund Balance
001	General	17,975,135	26,553,523	27,148,773	6,025,972	11,353,913	17,379,885
006	Library Contribution	28,089	2,210	5,700	27,926	(3,327)	24,599
010	Sales Tax Revenue	1,272,031	6,240,225	6,492,300	-	1,019,956	1,019,956
011	Law Enforcement Education	54,129	61,600	59,325	-	56,404	56,404
012	Police Forfeiture	39,185	30,950	13,900	-	56,235	56,235
013	Street Improvement	752,012	2,167,000	2,702,980	675,745	(459,713)	216,032
014	Community Redevelopment	1,859,784	4,128,809	3,824,423	945,856	1,218,314	2,164,170
020	Building Services	2,081,343	1,215,200	886,667	221,667	2,188,209	2,409,876
040	Water & Sewer Revenue	21,081,937	15,526,125	15,754,728	3,612,716	17,240,618	20,853,334
041	Reclaimed Water Projects	171,039	1,800	-	-	172,839	172,839
042	Water & Sewer R&R	20,430,927	2,475,000	3,049,600	-	19,856,327	19,856,327
049	Stormwater Utility Revenue	709,824	926,000	1,224,281	306,070	105,473	411,543
059	Fire Prevention Capacity Exp. Trust	246,138	44,000	51,400	-	238,738	238,738
060	Greenwood Cemetery Trust	263,863	18,275	43,860	-	238,278	238,278
061	Police Pension	25,023,145	3,685,000	1,900,000	26,808,145	-	26,808,145
062	Fire Pension	14,652,032	2,970,000	1,250,000	16,372,032	-	16,372,032
063	Parks & Recreation Capacity Exp. Trust	327,921	96,500	181,225	243,196	-	243,196
064	Law Enforcement Capacity Exp. Trust	247,765	43,300	1,065	290,000	-	290,000
065	Water Impact Trust	5,307,560	231,000	323,000	5,215,560	-	5,215,560
066	Sewer Impact Trust	6,121,340	848,800	1,265,755	5,731,448	(27,063)	5,704,385
068	Economic Development Trust	(17,744)	260,880	388,280	-	(145,144)	(145,144)
069	Library Capacity Exp. Trust	115,516	47,750	21,100	142,166	-	142,166
						-	
	GRAND TOTAL	118,742,971	67,573,947	66,588,362	66,618,499	53,110,057	119,728,556



City of Eustis

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

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: September 5, 2024

RE: Resolution Number 24-70: Preliminary Subdivision Plat for Eustis SR 19 Subdivision, A 275-unit Townhome Residential Subdivision on approximately 51.87 acres of property, located on the west side of Kurt Street, west of West Charlotte Avenue (Alternate Key Numbers: 2930497 and 3859180)

Introduction:

Resolution Number 24-70 approves a preliminary subdivision plat for the Eustis SR-19 Residential preliminary subdivision plat with 275 residential units (59 traditional single-family detached and 216 townhomes) on approximately 51.87 acres located on the west side of State Road 19, north of the intersection with County Road 19A. Lake County Property Appraiser Alternate Key Numbers 1782414, 3846883, and 1094739.



Project Information:**Pertinent Site Information:**

- The subject property comprises about 51.87 acres, currently vacant pasture.
- The site is within the Mixed Commercial/Residential (MCR) land use district and the General Commercial land use district, which allows single-family attached residential homes including duplexes, row houses, and townhomes, and commercial uses.
- The property is within the Suburban Corridor design district.
- The site and surrounding properties' land use, design district designations, and existing uses are shown below:

Location	Existing Use	Future Land Use	Design District
Site	Vacant Pasture	Mixed Commercial/Residential (MCR) General Commercial	Suburban Neighborhood & Suburban Corridor
North	Church	Public Institutional	Suburban Neighborhood
South	Storage /	Unincorporated	N/A
East	Vacant Residential	Mixed Commercial/Residential (MCR) Rural Residential and General Commercial	Rural Neighborhood/Unincorporated
West	Vacant Pasture	Unincorporated	Suburban Neighborhood

Proposed Development:

The proposed development is 275 single-family and townhouse lot types conforming with the Suburban Neighborhood design district House Lot typology and the Townhouse 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	51.87 acres
Lot Typology	Townhouse Lot	Townhouse Lot (22' x 80' lots) (Maximum lot dimension waiver)
Lot Typology	House Lot	House Lot (55' x 120' lots)
Density	12 dwelling units/acre maximum (71)	5.3 dwelling units/acre

	dwelling units max. permitted here)	(216 townhome units) 59 Single-Family Detached
Open Space	25% minimum (12.04 ac)	33% (16.18 ac)
Park Space	Required 2.75 acres	Provided 4.34 acres

Waivers:

Applicant is requesting a waiver to Section 110-4.5 Townhouse Lot for the maximum lot width for the corner/end townhouse units. Section 110-4.5 allows for a maximum width of 32 feet. The applicant is requesting a waiver to allow for 34' corner/end lots for the townhome blocks.

Analysis of Request According to Applicable Policies and Codes:

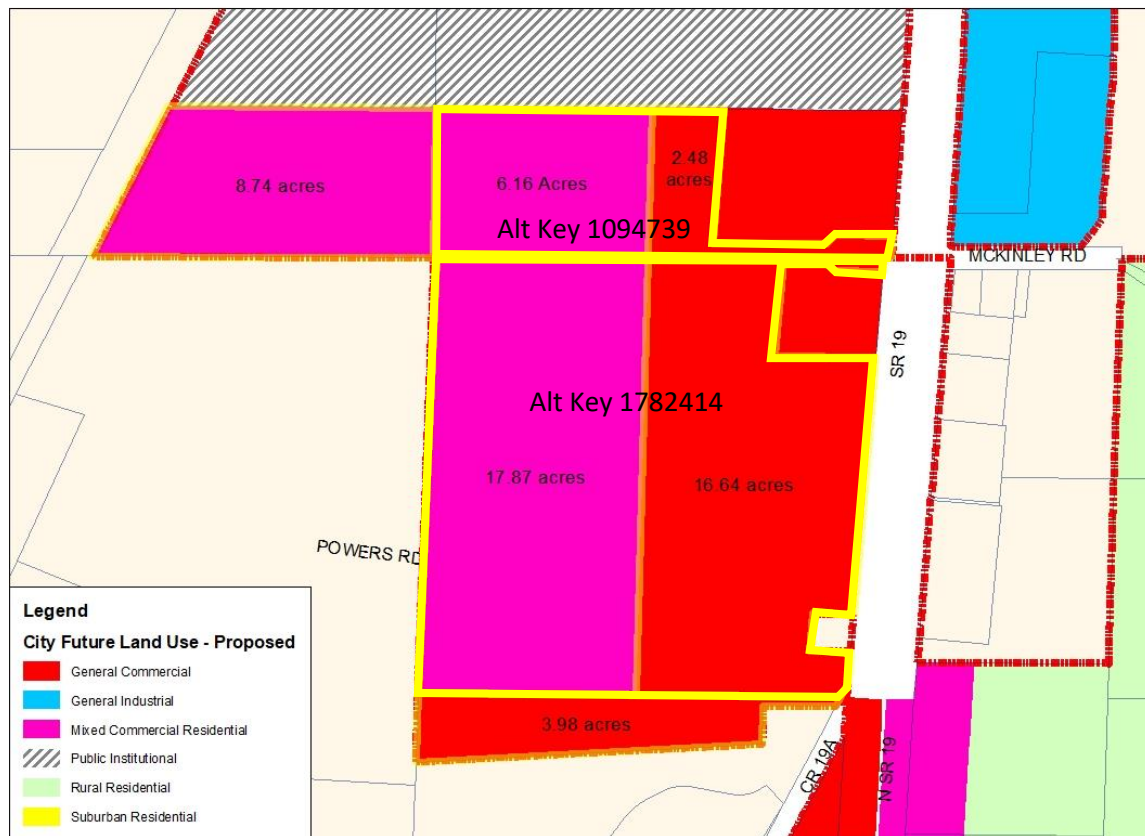
The proposed Preliminary Subdivision Plat is consistent with the City of Eustis Comprehensive Plan - Future Land Use Element Appendix; Land Development Regulations with the exception of the requested Waiver to Section 110-4.5 Townhome Lot for the maximum lot width.

Section 102-15. Map interpretation for property lying within multiple districts.

(a) If a property is determined to lie in more than one land use district or design district with a majority of the property in one land use district or design district, then the land use or design district category that governs the majority of the property shall apply to the entire property.

(b) If a property is determined to lie in more than one land use district or design district without a majority of the property lying in any one land use district or design district, then the applicant for development approval may request, through the applicable development approval process, that the city commission approve one land use category or design district to govern the entire property.

Staff reviewed the land use split for the properties involved in this request and determined that the Mixed Use Commercial Residential Land Use District may apply.



The two parcels that are covered by more than one future land use are Alternate Key Number 1094739 and 1782414. Both of these properties are within the Mixed Commercial Residential (MCR) and General Commercial (GC) land use districts.

Parcel Alternate Key 1094739 has 6.16 acres of its area within the MCR and 2.48 acres within the GC. Per Section 102-15, the MCR district may be applied as the Future Land Use for this parcel. Parcel Alternate Key 1782414 has 17.87 acres of its area within the MCR and 16.64 acres within the GC. Per Section 102-15, the MCR district may be applied as the Future Land Use for this parcel.

Mixed Commercial/Residential (MCR) land use accommodates a mix of residential, commercial, office, institutional, and schools. Residential densities may not exceed 12 dwelling units per net buildable acre. Maximum Impervious Surface Area 40%; Minimum open space required 25%.

The preliminary subdivision plat provides for 59 single-family attached and 216 single-family detached townhomes at a maximum density of 5.3 units per acre (allowed up to 12 du/ac). The plan provides for or exceeds the minimum open space requirements and maintains a maximum of 40% impervious surface area or less. The proposed plan is consistent with the Future Land Use Element Appendix of the Comprehensive Plan and the Land Development Regulations.

a. Land Development Regulations-Building Lot Types – Section 110-4.5 Townhouse Lot and Section 110-4.2 House Lot

Minimum townhouse lot requirements in Suburban design districts include the following:

Width of 22 feet (max 32); Depth of 80 feet (max 120); Square Footage of 1760 sq. feet (max 3840)

Street setback of 0 to 20-feet; Common lot setback of 0-feet; Alley setback of 15-feet

Minimum house lot requirements for the Suburban design districts include the following:

Width of 55 feet (max 70); Depth of 120 feet (max 140); Square Footage of 6,600 sq. feet (max 9,800)

Street setback of 25-feet; Common lot setback of 5-feet; rear setback of 10-feet

The subdivision plat proposes 59 Single-family attached and 216 Townhouse Lot typologies, which lots meet the minimum dimensional criteria of the Land Development Regulations. The typical lot section provided demonstrates the setbacks for the lots meet the requirements. The applicant is requesting a waiver to the Townhome Lot type to allow the maximum lot width to be 34 feet versus 32 feet.

Section 115-4.2.1. (and Comprehensive Plan Policies FLU 5.2.1 and 5.2.9) includes general site design criteria to respect the natural topography of the site and follow the outlined four-step design process. The applicant has demonstrated compliance as follows:

The site does not contain any environmental constraints inhibiting development. Being former pasture, the site is relatively flat with minimal topography alteration necessary and the property being former open pasture has minimal to no tree removal required for development.

Section 115-4.9 includes the City's stormwater management regulations. The site drains to the south; the main stormwater pond is located at the south side of the site. Via the Development Review Committee process, the City Engineering Department reviewed and approved the drainage calculations and stormwater plan. A St. Johns River Water Management District permit will also be required for the project.

Sections 115-7, 8 and 9 outline standards for transportation, parks, and landscaping. A traffic impact statement was prepared for the subdivision. The proposed project will result in 39 inbound trips and 114 outbound trips in the AM peak hour period and 112 inbound trips and 75 outbound trips in the PM peak hour period. The analysis shows that the intersection of SR 19 and Site Access operates at or above the adopted Level of Service standard, D. At this time, the only recommended constructable transportation improvement is a right turn lane into the site, from within SR 19's right-of-way.

Regarding parks, the subdivision plan provides for a 4.34 acres of total park area, which exceeds in the minimum of 2.75 acres required by the City's Land Development Regulations.

Summary of Recommendation:

Staff recommends approval of the Eustis SR-19 Residential Preliminary Subdivision Plat, as proposed density falls below the maximum and the subdivision plan meets or exceeds required design standards per the Land Development Regulations.

Alternatives:

1. Approve Resolution Number 24-70
2. Deny Resolution Number 24-70

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. There would be no additional staff time beyond the normal plan review process and building inspection. Upon end-user development, the City would realize increased tax revenue.

Prepared By:

Mike Lane, AICP – Development Services Director

RESOLUTION NUMBER 24-70

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A PRELIMINARY SUBDIVISION PLAT FOR THE EUSTIS SR19 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).

WHEREAS, LBD H, LLC and Clayton Properties Group (applicant), on behalf of LBD H, LLC (owners), has made an application for Preliminary Subdivision Plat approval for Eustis SR-19 Residential Subdivision (275 residential units) on approximately 51.87 acres located on the west side of State Road 19, north of the intersection with County Road 19A, more particularly described as follows:

Parcel Alternate Key Numbers: 1782414, 3846883, and 1094739

Parcel Identification Numbers: 26-18-26-0003-000-02803; 27-18-26-0004-000-01300 and 35-18-26-0002-000-02800

LEGAL DESCRIPTION

TRACT ONE:

FROM SE COR OF SEC 27-18-26 RUN S 88-03-41 W 980.03 FT TO E'LY R/W LINE OF RR, N 25-04-16 E ALONG SAID E'LY LINE OF RR R/W 483.47 FT, N 88-03-41 E 1591.57 FT FOR POB, RUN S 02-17-02 W 388.58 FT, N 88-03-41 E 327.49 FT, N 43-03-41 E 35.36 FT, N 88-03-41 E 150 FT TO W'LY R/W LINE OF SR 19, S 02-19-44 W ALONG W'LY R/W LINE TO S LINE OF SEC 26-18-26, W TO SW COR OF SEC 26, N ALONG SAID W LINE OF SEC 26 TO A POINT S 88-03-41 W FROM POB, N 88-03-41 E TO POB ORB 6065 PG 78 82

TRACT TWO:

BEG AT SE COR OF SE 1/4 OF SEC 27-18-26, RUN S 88-03-41 W 980.03 FT TO E'LY R/W LINE OF RR R/W, N 25-04-16 E ALONG SAID E'LY LINE OF RR A DIST OF 483.47 FT, N 88-03-41 E TO E LINE OF SE 1/4 OF SEC, S TO POB ORB 3891 PG 1002 ORB 6065 PG 78 82

TRACT THREE:

BEG AT SW COR OF NW 1/4 OF NW 1/4, RUN N 87-48-01 E 1220.71 FT TO W'LY R/W LINE OF SR 19, N 26-25-11 E ALONG W'LY R/W LINE 36.55 FT, N 01-32-14 E ALONG W'LY R/W LINE 88.56 FT, S 87-48-44 W 120.11 FT, N 02-17-28 E 110 FT, N 87-49-25 E 130.03 FT TO W'LY R/W LINE OF SR 19, N 02-17-02 E ALONG SAID W'LY R/W LINE 750.14 FT, S 88-03-41 W 301.33 FT, N 02-17-28 E 275.07 FT, N 88-03-41 E 124.45 FT, S 46-56-19 E 35.36 FT, N 88-03-41 E 150 FT TO W'LY R/W LINE OF SR 19, N 02-17-02 E ALONG W'LY R/W LINE TO N LINE OF SEC, W TO NW COR OF SEC, S 0-14-19 E 1265.61 FT TO POB ORB 6065 PG 78 82

(The preceding legal descriptions are copied directly from the Lake County Property Appraiser Property Information Records and have not been verified for accuracy)

WHEREAS, the property described above has a Land Use Designation of Mixed Commercial Residential (MCR) and General Commercial (GC) and a Design District Designation of Suburban Neighborhood; and

WHEREAS, Single-family attached residential dwelling units and Single-family detached residential dwelling units, at a density of 12 dwelling units per acre or less, are permitted in the Mixed Commercial Residential (MCR) land use designation; and

WHEREAS, the proposed preliminary subdivision 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 preliminary subdivision 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 Eustis SR-19 Residential Preliminary Subdivision Plat for 275 units located on the west side of State Road 19, north of the intersection with County Road 19A, attached hereto as Exhibit "A", is hereby approved with a waiver to Section 110-4.5 for maximum townhome lot width to not exceed 34 feet for corner and end lots:

SECTION 2. That the Preliminary Subdivision Plat shall be subject to the owner/developer complying with the following conditions:

- a) Submit the Final Engineering and Construction Plans and Final Plat to comply with all requirements of the Eustis Land Development Regulations, Eustis Engineering Design Standards Manual, Florida Statutes, and the provisions of this resolution within one year of the approval of this resolution.
- b) Develop the property in accordance with the approved Preliminary Subdivision Plat as referenced in Section 1 and attached hereto as Exhibit "A".
- c) Obtain and provide copies of all applicable permits from other jurisdictional agencies.

DONE AND RESOLVED this 5th day of September, 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 5th day of September, 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 24-70 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: September 5, 2024

RE: **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

Introduction:

Ordinance Number 24-26 provides for the voluntary annexation of approximately 0.25 acres of land located at the end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine. (Alternate Key Number 1734193). Provided the annexation of the subject property is approved, via Ordinance Number 24-27, Ordinance Number 24-28 would change the future land use designation from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis, and Ordinance Number 24-28 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance Number 24-26 is denied, then there can be no consideration of Ordinance Numbers 24-27 and 24-28.

Background:

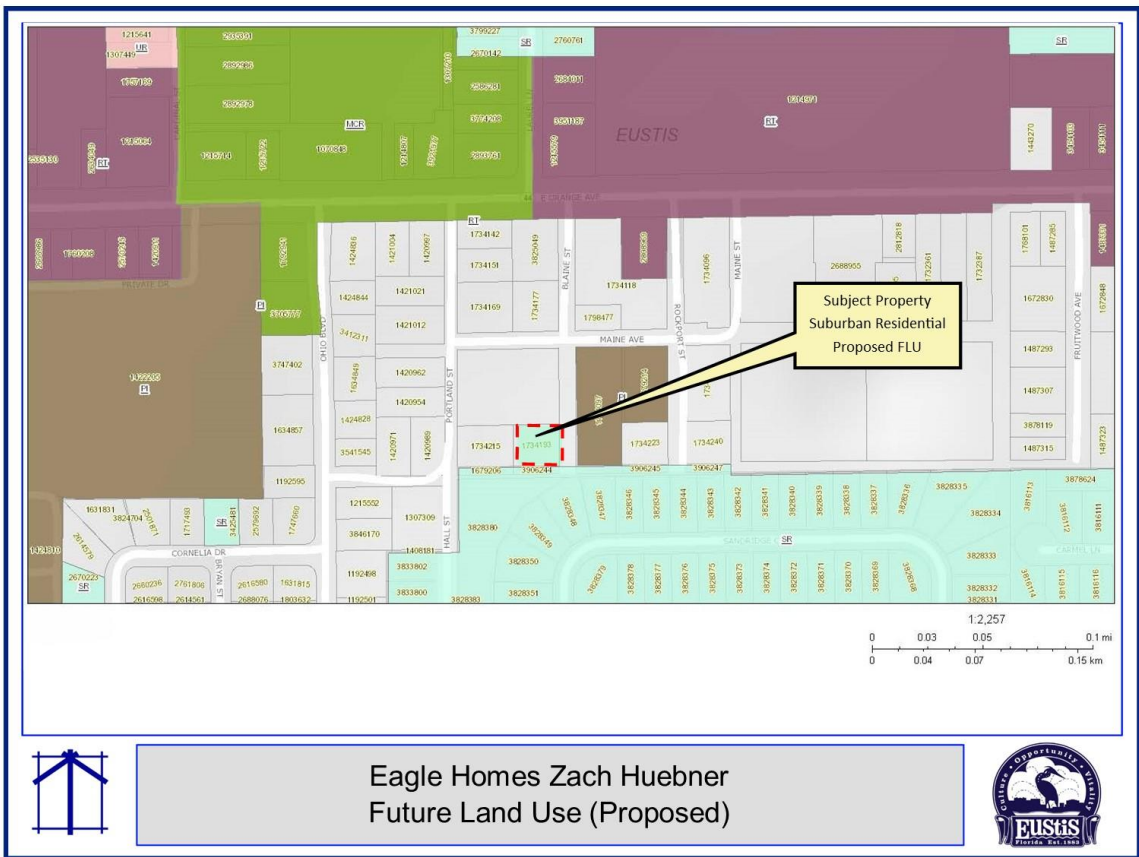
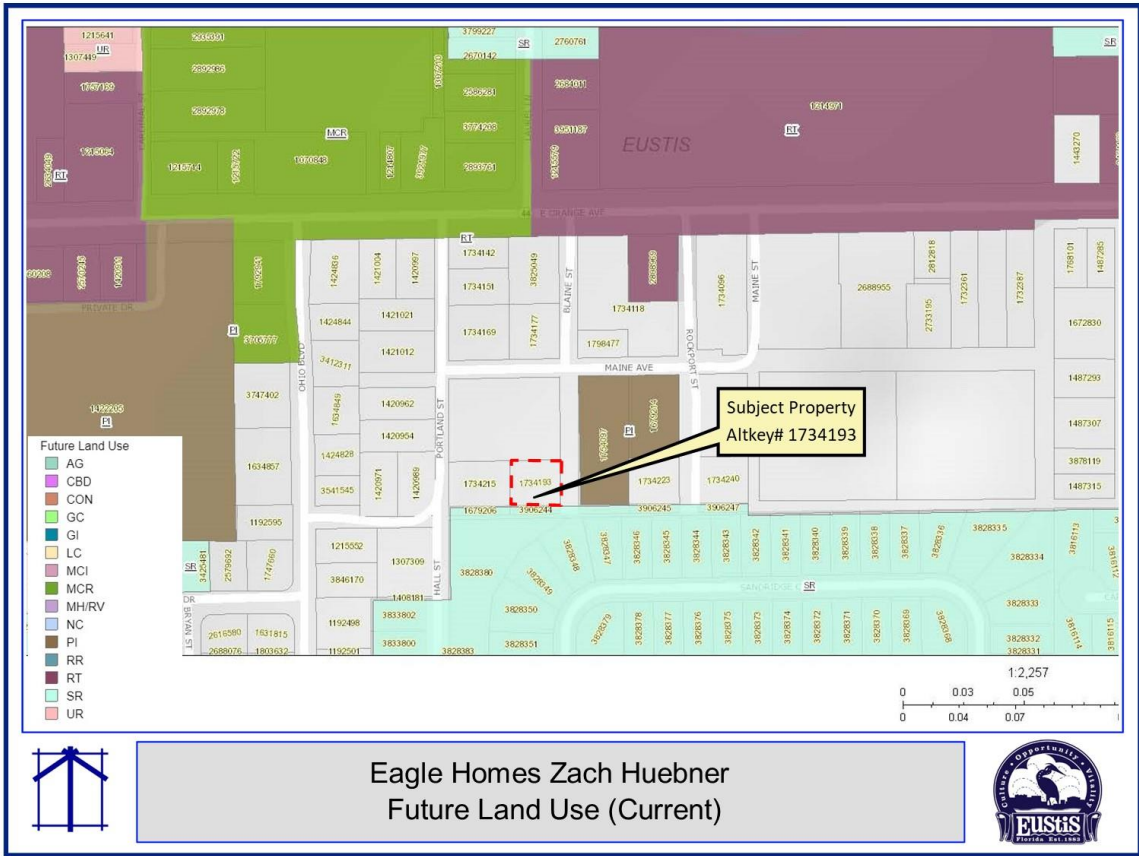
1. The site contains approximately 0.25 acres (11,000 sq.ft.) and is located within the Eustis Joint Planning Area with alternate key number 1734193. The lot has a lot frontage of 100 feet and a lot depth of 110 feet. *Source: Lake County Property Appraisers' Office Property Record Card Data.*
2. The proposed annexation property is within an enclave area of the City and is contiguous to the City boundaries represented on the Location map, herein.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 24-27 would change the land use designation to Suburban Residential (SR) in the City of Eustis.
4. This request was heard by the LPA on June 6, 2024, and the Comprehensive Plan Future Land Use assignment was transmitted to the City Commission for Consideration.
5. On June 6, 2024, the City Commission decided to table the consideration of Ordinance Numbers 24-26, 24-27, and 24-28 until the applicant addressed the question of the unpaved Blaine Street and how the property will be accessed.
6. The applicant provided a letter stating that they will inform future owners of the property that the City has no intention of paving the road right-of-way to this parcel.

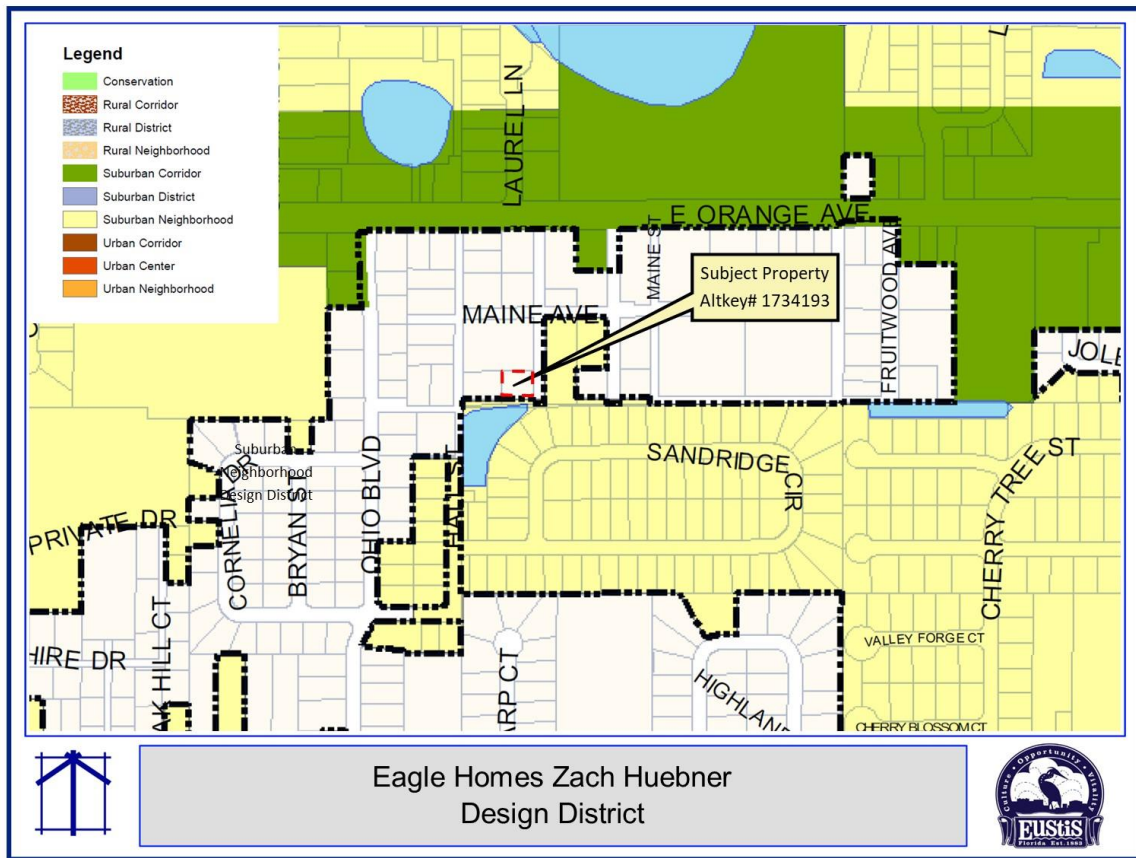


Eagle Homes Zach Huebner
Aerial Location

Surrounding properties have the following land use designations:

Location	Existing Use		Future Land Use	Design District
Subject Property	Vacant		Urban Low (Lake County)	N/A
North	Single-Family		Urban Low (Lake County)	N/A
South	Vacant	Single-Family	Suburban Residential	Suburban Neighborhood
East	Church		Public/ Institutional PI	Suburban Neighborhood
West	Single-Family		Urban Low (Lake County)	N/A





Applicant's Request

The applicant is Eagle Homes/Zach Huebner and the property owner is Dennis Martin. They wish to annex the referenced property, change the future land use to Suburban Residential (SR), and assign a design district of Suburban Neighborhood.

The current Lake County future land use designation for the subject property is Urban Low. The Lake County land use designation allows for residential uses of up to four (4) dwelling units per net buildable acre.

The property owner has requested the City of Eustis Suburban Residential future land use designation with the annexation. The SR future land use provides for residential uses up to five (5) dwelling units per acre.

Analysis of Annexation Request (Ordinance Number 24-26)

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.”

The subject property is located within the Eustis-Lake County Joint Planning Area. responsibility for extension/ construction of the drive access and utilities including the water and sewer system will remain with owner of the property.

2. 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 Eustis-Lake County 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; the property is part of a partial enclave, it is contiguous to the City limits on the southern and eastern boundaries, and the owner petitioned for annexation.

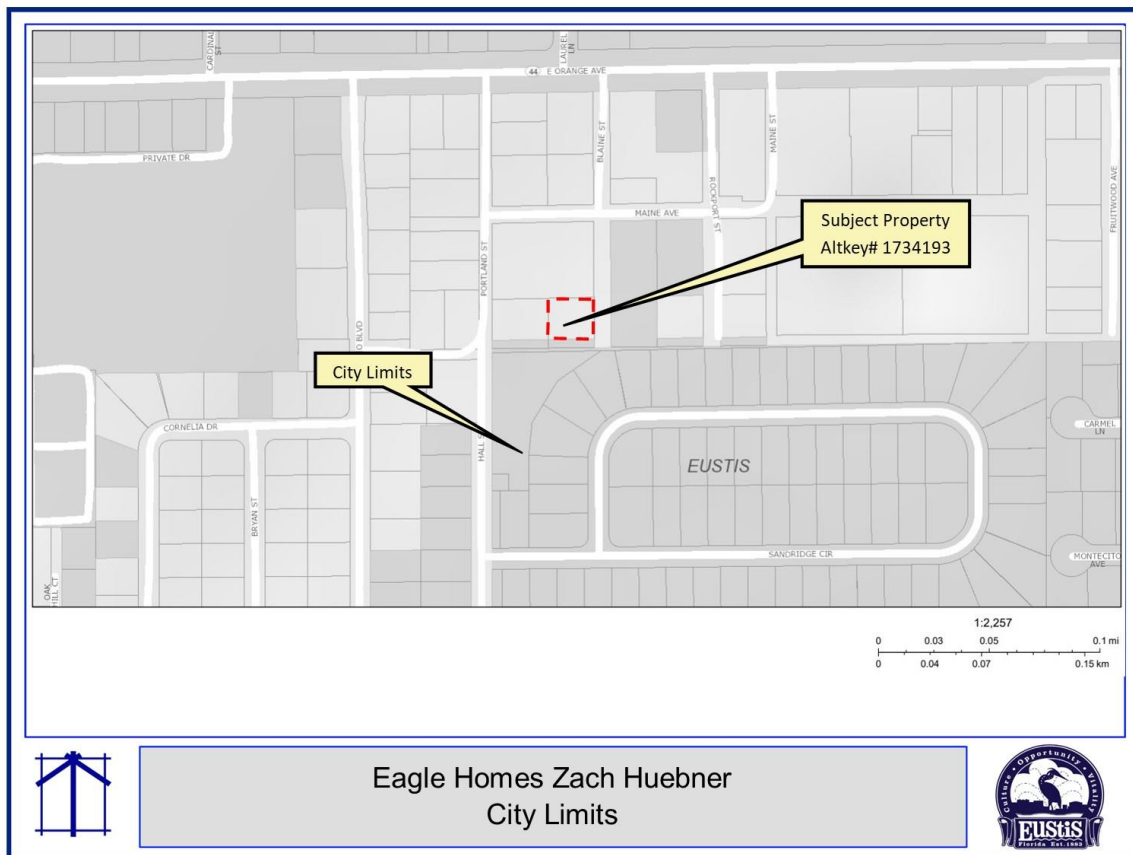
3. Florida Statutes Voluntary Annexation - Chapter 171.044(2):

“...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 following the established requirements on May 28, 2024, and again on June 3, 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.”



Annexation of the subject property does not create an enclave as defined by the Florida Statutes. The subject property is included in a portion of the city that can be considered a partial or open 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 provided notice to the Lake County Board of County Commissioners on May 15, 2024, via email and by Certified Mail, for the scheduled dates for LPA and City Commission public hearing.

Analysis of Comprehensive Plan/Future Land Use Request (2024-CPLUS-05) Ordinance Number 24-27)

In accordance with the 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 future land use will provide for a higher density (5 du/acre) and the SR designation allows the infill of development types similar to the existing patterns at similar densities.

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 subject property is located in an enclave area and the City will be requiring city services, in order to develop.

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 subject property is located in an enclave area and the City will be requiring city services, in order to develop.

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.

This indicator does not apply. The subject property is not subject to floodplain impact, and does not contain wetland areas. The Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development 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 within an existing developed and further developing area.

6. Public Facilities:

Fails to maximize the use of existing public facilities and services.

This indicator does not apply. City water and sewer facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.

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 the existing and future development. City water and sewer facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.

8. Separation of Urban and Rural:

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

This indicator does not apply. No nearby properties contain active agricultural activities or use. The surrounding area is developed or has development entitlements attached to the land. These developments have densities and intensities that are clearly suburban uses.

9. Infill and Redevelopment:

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

This indicator does not apply. This property will promote infill development by allowing access to public facilities.

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply. The site is surrounded by single-family development on the adjacent properties, which is consistent with permitted uses in the area.

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 access and linkage between related uses. City Departments will ensure compliance with these standards at the time of development review.

12. Open Space:

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

This indicator does not apply. The subject property is an existing residential lot.

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 adjacent to existing urban/suburban development patterns and is a logical infill of the urban development boundary. The Comprehensive Plan and Land Development Regulations have provisions to protect natural resources and ecosystems at the time of site plan approval.

b. Efficient and Cost-Effective Services:

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

c. ***City water and sewer facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.***

d. 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.

At the time of development, the site must meet the City's Land Development Regulations including the creation of streets and street connections, the access through Maine Avenue is available from north side of the property, the responsibility for construction of the driving access to the subject property will remain with the property owner.

e. Water and Energy Conservation:

Promotes the conservation of water and energy.

The development of the site must meet City development and Florida Building Code standards that will require energy-efficient and water-efficient appliances.

f. Agricultural Preservation:

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

Not applicable; this site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed residential area.

g. Open Space:

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

This is not applicable. The site does not provide functional open space or natural areas on a regional basis.

h. Balance of Land Uses:

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

The proposed land use is consistent with the surrounding area of the site and is not positioned to front primary or secondary corridors that would encourage commercial development.

i. 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 consist 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:

Eustis Emergency Services already provide emergency response to other properties in the area. Any development consistent with the Suburban Residential future land use designation would not have a significant negative impact on the operations of Eustis emergency services.

b. Parks & Recreation:

In 2010, the City prepared a Park Inventory and Level of Service Demand and Capacity Analysis, as part of the Comprehensive Plan Evaluation and Appraisal Report. The results show that a surplus of park area exists up to and beyond the City's population of 20,015. The current population is approximately 24,500.

c. Potable Water & Sanitary Sewer:

City water and sewer facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.

e. Schools:

The proposed change should not negatively impact schools. At the time of development application, verification of capacity will be required from Lake County Schools.

f. Solid Waste:

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

g. Stormwater:

The Comprehensive Plan and Land Development Regulations include the 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.

h. Transportation Network Analysis:

This potential annexation and the subsequent development of the property will not add additional impacts as the parcels being annexed include existing platted lots.

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. Groundwater recharge areas:

The site may be within a recharge area, and a site-specific geotechnical and hydrologic study will be needed to determine the site-specific impact at the time of development. Source: Lake County Comprehensive Plan 2030 Floridian Aquifer Recharge Map.

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.

c. Flood zones:

The subject property is not impacted by a 100-year flood zone area. Source - Lake County GIS - 2012 Flood Zones.

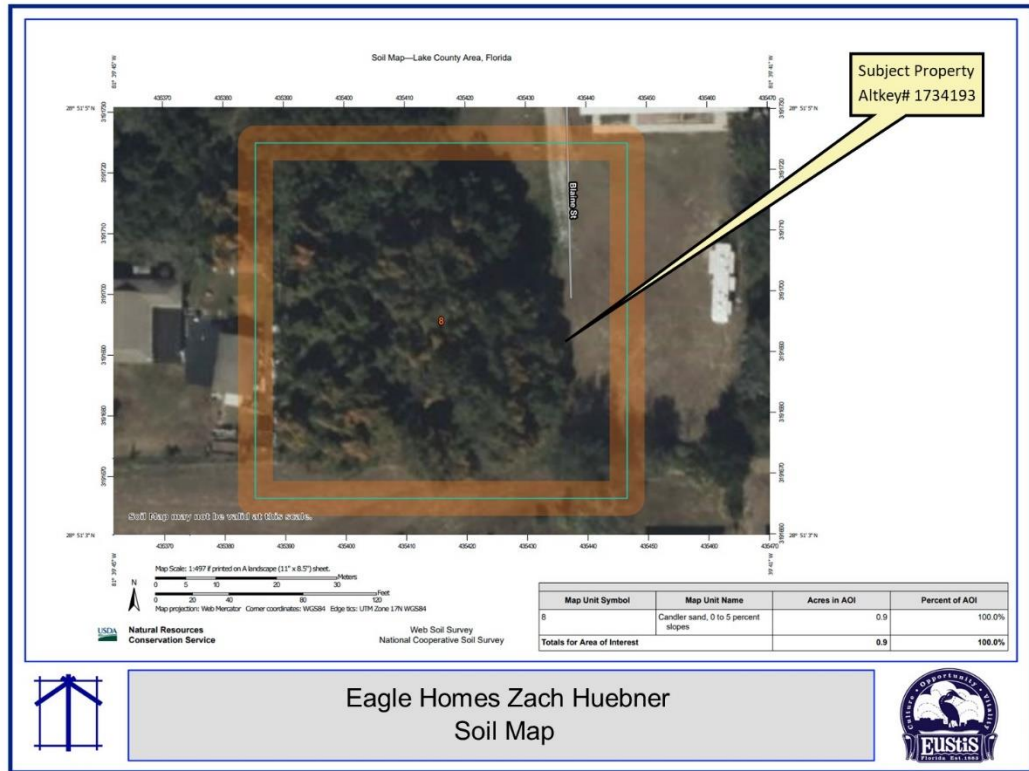
d. Soil and topography:

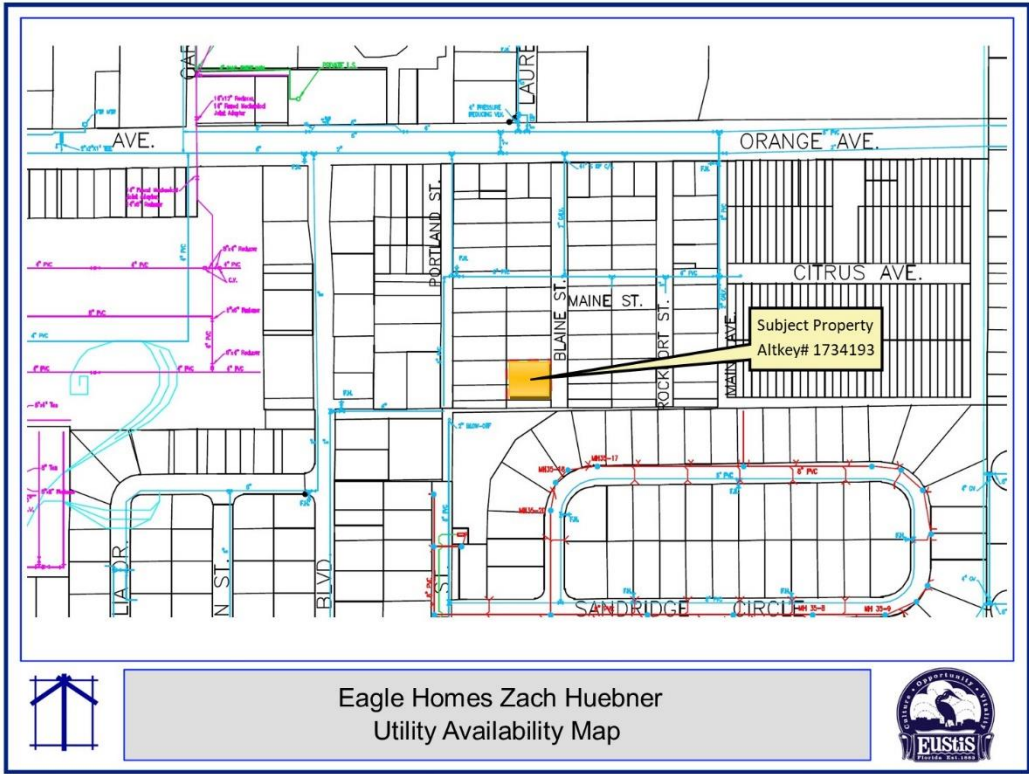
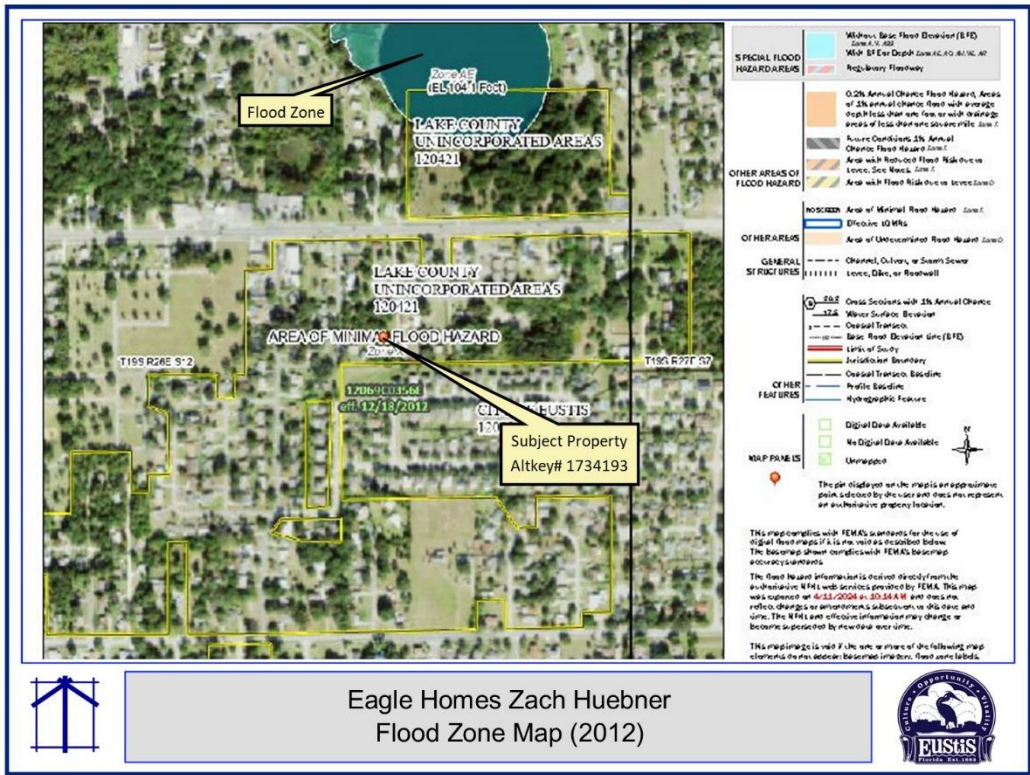
The site soils are primarily Candler sands.

Candler fine sand, 0 to 5 percent slopes – This nearly level to gently sloping, excessively drained soil is in the deep, sandy uplands. Slopes are nearly smooth to convex. The areas are mostly irregular in shape and range from about 15 to 300 acres. Typically, the surface layer is very dark grayish brown fine sand about 6 inches thick. The underlying layers are fine sand to a depth of 82 inches or more. The upper 10 inches is pale brown, the next 12 inches is light yellowish brown, the next 29 inches is yellow, the next 13 inches is very pale brown and has thin bands of brownish yellow loamy sand lamellae. Included with this soil in mapping are small areas of Apopka, Arredondo, Chipley, and Tavares soils. Also included are small areas of excessively drained soils that have a sandy texture to 80 inches or more. These excessively drained soils do not have thin bands of lamellae. A few areas of Candler soils that have slopes of 5 to 8 percent are included. Total included areas are 15 percent or less. This Candler soil has low available water capacity. Permeability is rapid. Natural fertility of the soil is low. Organic matter content of the surface layer is low to very low. Surface runoff is very slow. The

water table is at a depth of more than 72 inches. (Source: Florida Department of Environmental Protection)

Item 6.4





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 th

appropriateness of the compatibility of the use, intensity, location, and timing of proposed amendment.

Existing Land Use According to the Lake County Comprehensive Plan:

The existing Lake County future land use designation of the property is Urban Low, which provides for residential uses at up to 4 dwelling units per acre as well as supporting commercial and institutional uses.

Proposed Land Use According to the Eustis Comprehensive Plan:

The Suburban Residential (SR) land use designation is provided to accommodate the majority of residential development within the City. The general range of uses include: a mix of single family detached, patio homes, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted. Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre.

Comparison of Lake County Development Conditions

The land use designations of residential properties within the City of Eustis in the surrounding area are generally Suburban Residential (SR) with a maximum density of 5 dwelling units per acre (du/ac).

The surrounding properties, immediately adjacent to the north and west, are unincorporated areas are designated Urban low with a maximum density of 4 dwelling units per net buildable acre.

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.

This area is predominantly residential in nature and the proposed use of the land will continue to be residential.

Proposed Non-Residential Land Uses.

The City shall generally not permit new industrial uses to be located adjacent to existing or planned residentially designated areas.

Not applicable.

1. 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 use of the land is already residential in nature and was previously platted; the increase in traffic should be negligible.

2. 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.

City water and sewer facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.

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 in the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan.

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 existing land uses in the immediate area are residential and the proposed use of the land is continued residential.

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. 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 demand 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 sewer facilities are available from north and south side of the property, water service may be provided to the property. The responsibility for extending/constructing the sewer system and driveway access (paving the road is not mandatory) will remain with the owner of the property.

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 therefore, efficiency will improve.

f. *Impact on Environment:*

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

The site contains no apparent natural resources and is not connected to significant open space.

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.

The site is contiguous to the City limits. The development patterns already exist in the area and the future building on the previously platted lots will not cause incompatibilities with those development patterns.

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 lifestyle.”

The requested designation of SR land use will provide for orderly growth and development. This designation would advance the public interest by potentially providing additional housing, and the application of the LDRs to future development will ensure consistency with the community character and lifestyle of the city.

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 24-28**):

Form-Based Code:

The City's Land Development Regulations is 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. *Standards for Review:*

The Land Development Regulations include 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 Neighborhood). The Suburban development pattern and intent, and the Suburban neighborhood definition, structure, and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.

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. Each land use provides for pedestrian and bicycle connections.

Design districts – Suburban Neighborhood

a. Definition. Predominately residential uses with some neighborhood-scale commercial services.

b. Structure. Interconnected trails, bikeways, and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

c. Form. Mix of detached residential uses with some neighborhood-supporting retail, parks and civic spaces as focal points in the neighborhoods.

The Suburban development patterns statement above indicates that residential uses are primarily located on streets with fewer vehicle connections. A Suburban Neighborhood designation follows the district pattern and intent outlined in the Land Development Regulations and is consistent with the existing transect in the area.

c. *Section 102-17(a)*

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

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

Reassignment is not being proposed; a Eustis design district designation must be assigned to the annexed property; the proposed design district is compatible with the surrounding design districts.

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 Neighborhood definition, structure, and form are compatible with the existing uses and any proposed uses permitted under the Suburban Residential 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 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.

A redistricting is not proposed. Assigning a design district to an annexation property will not change the demand impact 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 the analysis of public facilities in the above sections of this report.

h. *Impact on 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. As building permit approval must be obtained before development can begin, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

i. Property Values:

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

Redistricting is not being proposed; a Eustis design district designation must be assigned to the annexed property. This request should not 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 request is the assignment of a design district to an annexation parcel, not redistricting. However, the proposed Design District designation is consistent with the suburban development pattern identified in Section 109-5.5 of the Land Development Regulations. 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 request is the assignment of a design district to an annexation parcel, not redistricting. 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 request is the assignment of a design district to an annexation parcel, not 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 use, densities, intensities, or required open space. The districts, therefore, must be consistent and follow the urban, suburban, and rural transects. This request assigns a Suburban Neighborhood design district designation to an annexation parcel, which is consistent with the existing transect.

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. Comprehensive Plan – Suburban Residential (SR)

This designation is provided to accommodate the majority of residential development within the City.

General Range of Uses: This designation is intended to provide for a mix of single-family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density/Intensity: Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre. The maximum density may be exceeded through an affordable housing density bonus as provided in the Special Provisions below.

Special Provisions:

- (1) Density bonuses are permitted for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density in the Suburban Residential (SR) classification where at least 20 percent of the dwelling units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent. A density bonus may also be allowed for energy conservation or green certification as provided for in the LDRs. The combined density bonus for affordable housing and energy conservation/green certification is limited to a total increase of 15%.
- (2) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:
 - a. all such housing is attached to foundations as in the case of conventional site-built construction; and
 - b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.
- (3) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as

dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

4. Land Development Regulations Section 109-5.5(b)(1): The Suburban Neighborhood Design District has predominately residential uses with some neighborhood-scale commercial services with interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.
5. Land Development Regulations Section 109-3 (Table 1) and Section 109-2.6: Suburban Residential land use has a maximum density of 5 units to one acre. The Suburban Residential designation is intended to regulate the character and scale of allowed uses so as to minimize their impacts on adjacent roadways and promote their compatibility with adjacent or nearby land uses.

Recommended Action:

Development Services recommends approval of Ordinance Numbers 24-26, 24-27, and 24-28.

Policy Implications:

None

Alternatives:

1. Approve Ordinance Numbers 24-26 (Annexation), 24-27 (Comp. Plan Amendment), and 24-28 (Design District Designation).
2. Deny Ordinance Numbers 24-26, 24-27, and 24-28.

Budget/Staff Impact:

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Prepared By:

Jeff Richardson, AICP, Deputy Development Services Director

Reviewed By:

Mike Lane, AICP, Development Services Director

ORDINANCE NUMBER 24-26

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.

WHEREAS, Eagle Homes/Zach Huebner made an application for voluntary annexation of approximately 0.25 acres of real property located at the end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine, more particularly described as:

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)

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 September 05, 2024, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on September 19, 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 0.25 acres of real property, as described above.

Ordinance Number 24-26: Annexation 2024-A-05

Alternate Key Number 1734193

Page 1 of 4

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 _____ 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 ____ day of _____, 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 City Commission of the City of Eustis, Florida.

City Attorney's Office

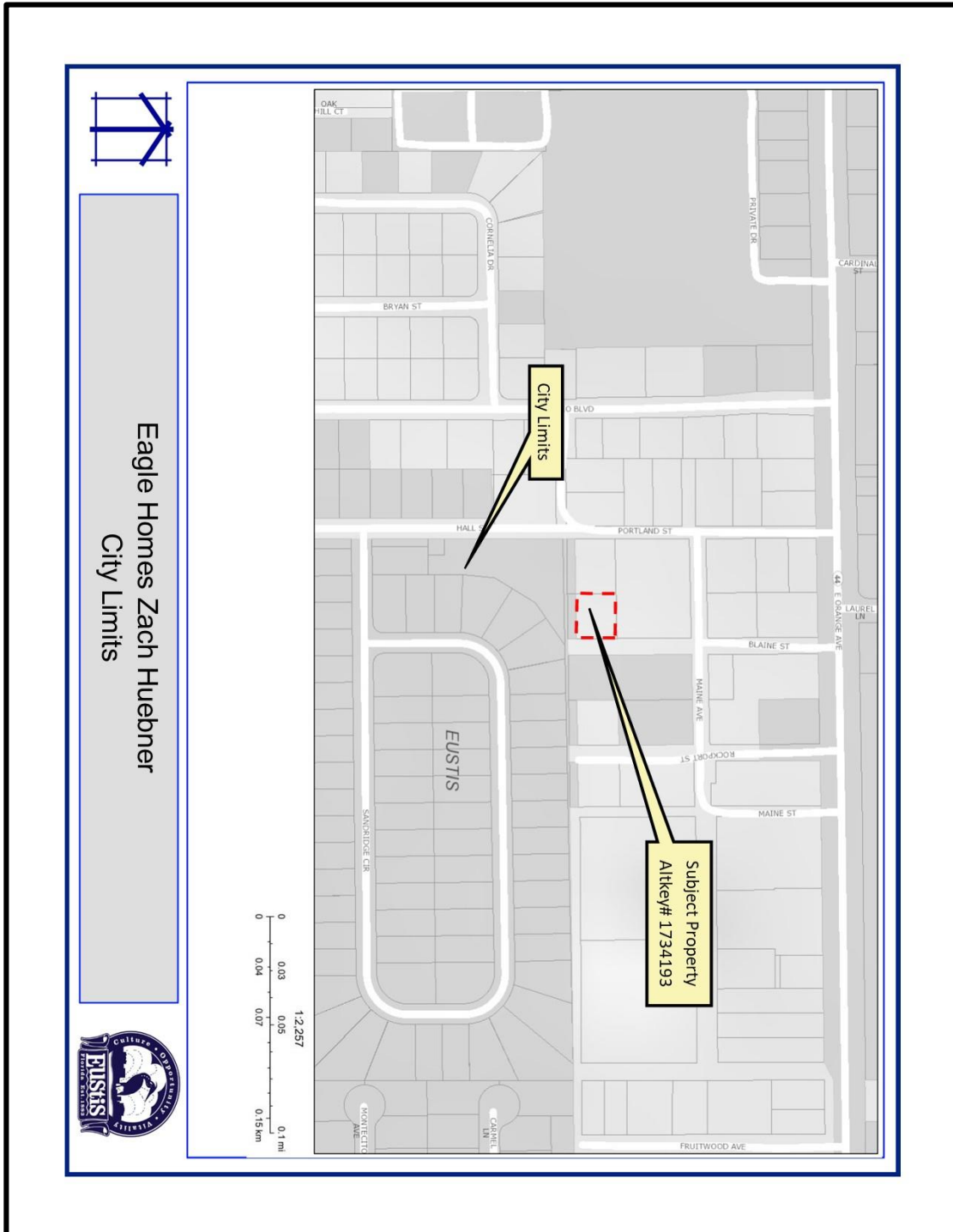
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-26 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



ORDINANCE NUMBER 24-27

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.

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 0.25 acres of real property at Lake County Property Appraiser’s Alternate Key Number 1734193, at end of Blaine Street (unimproved), south of the intersection of Blaine Street and Maine Avenue, on the west side of Blaine, and more particularly described herein; and

WHEREAS, on June 6, 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 September 05, 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 September 19, 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 Low in Lake County to Suburban Residential within the City of Eustis:

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 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 ____ day of _____, 2024, by Michael L Holland, Mayor, and Christine Halloran, City Clerk, who is 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 City Commission of the City of Eustis, Florida.

City Attorney's Office

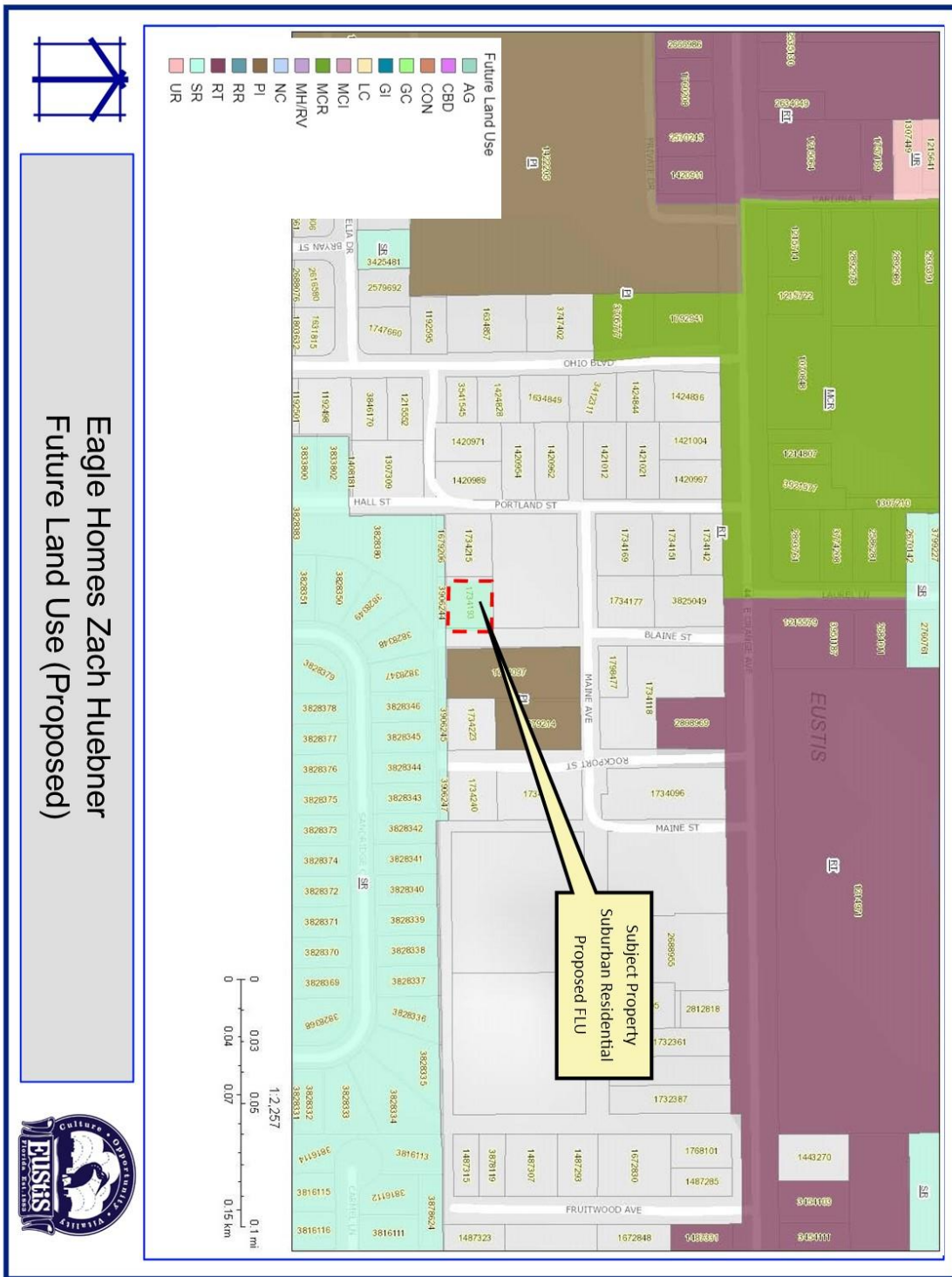
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-27 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



Eagle Homes Zach Huebner
 Future Land Use (Proposed)



ORDINANCE NUMBER 24-28

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.

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 Neighborhood to approximately 0.25 acres of recently annexed real property further described below, and;

WHEREAS, on September 05, 2024, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, on September 19, 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 24-28.

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 ____ day of _____, 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 City Commission of the City of Eustis, Florida.

City Attorney's Office

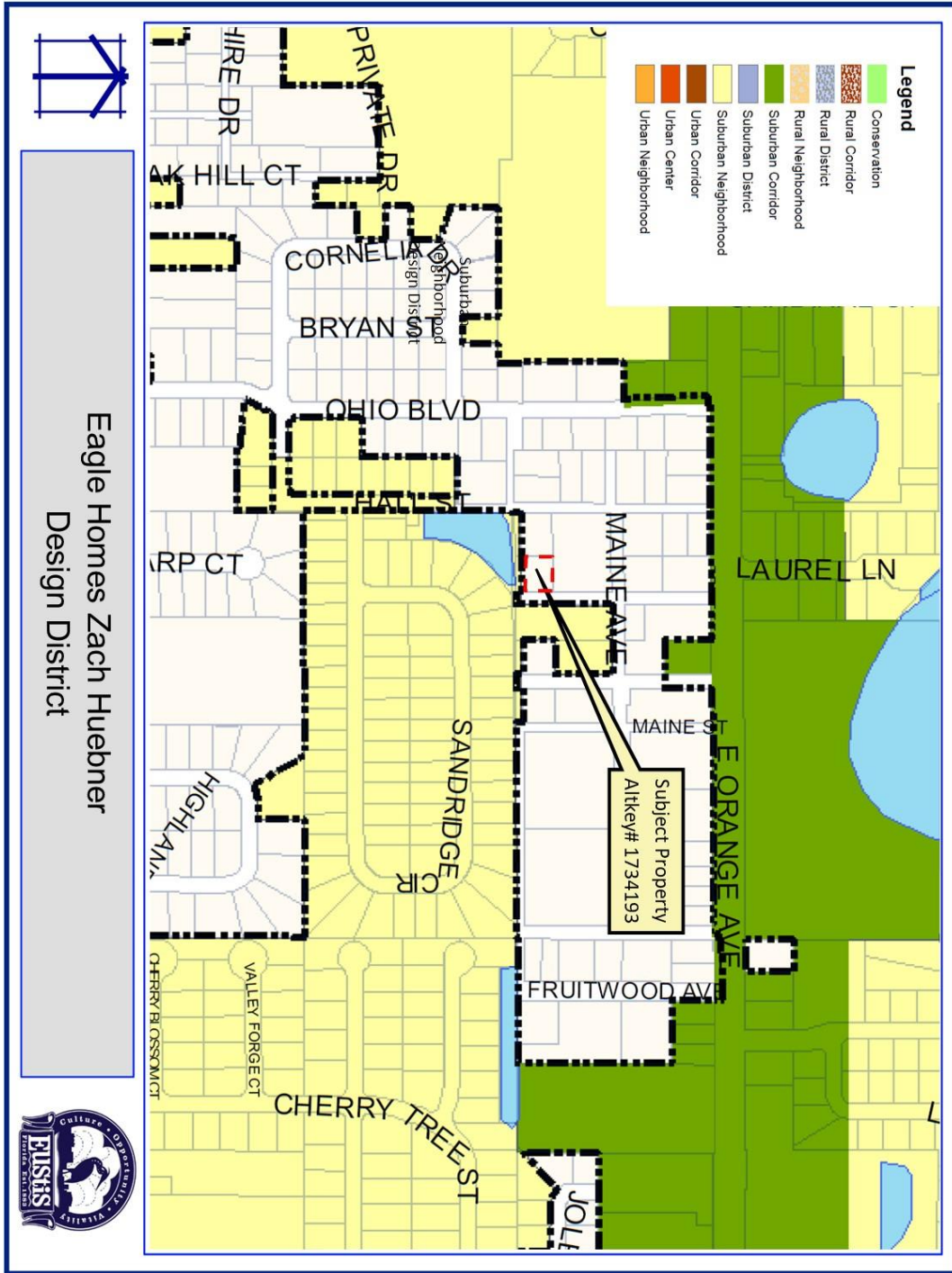
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-28 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





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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: SEPTEMBER 05, 2024

RE: ORDINANCE NUMBER 24-31: ANNUAL UPDATE OF THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE OF THE COMPREHENSIVE PLAN FISCAL YEAR 2025-29

Introduction:

This report seeks acceptance of the City of Eustis Five Year Capital Improvement Plan (CIP) FY2025-2029. Ordinance Number 24-31 approves the FY2025-29 annual update of the Five-Year Capital Improvements Schedule of the Comprehensive Plan under F.S. 163.3177(3)5(b).

Background:

The Five-Year CIP identifies five years of capital improvement needs for the City of Eustis. The plan includes major capital projects and acquisitions of over \$25,000 with a useful life of five or more years. It also includes repair and maintenance projects when the cost meets the budget threshold.

Department Directors provided updated information on projects previously submitted for the CIP as well as new project needs and evaluated those projects based on current economic conditions, requirements of the Comprehensive Plan, requirements to implement the City's Strategic Plan, the need to expand City service levels and the need to meet renewal and replacement demands on existing infrastructure. Department Directors reviewed the CIP submittals and prioritized the projects based on the following criteria:

1. Risk
 - a. Eliminates a current or future safety concern;
 - b. Addresses a hazardous condition;
 - c. Replaces or updates equipment or facilities that are not efficient or functionally serving their intended purpose;
 - d. Meets pending compliance requirements from other agencies;
 - e. Maintains City assets at a level adequate to protect the City's investment and minimize future maintenance and replacement costs (This would include Comprehensive Plan service level deficiencies).

2. Return on Investment
 - a. Highly visible projects;
 - b. The benefit of the project outweighs the cost of the project within a short period.
 - c. Project has the potential to generate economic development.
3. Level of Service Maintenance
 - a. Projects that need to be completed to maintain the City's desired service levels.
4. Improved Level of Service
 - a. Projects that provide a new service or improve the current level of service based on increased demand.

The Finance Department used a conservative approach to forecast capital revenue by analyzing collections for the past five years for trends and economic fluctuations. Based on that analysis, the anticipated revenue and expenditures are as follows:

- Sales Tax Fund, CRA, Street Improvement, Stormwater, Stormwater Utility, Law Enforcement Capital Expansion, Fire Prevention and Water & Sewer revenue projections include a 3% annual increase for FY24/25 and 5% expense increase in 24/25, due to inflation.
- Stormwater, Water & Sewer revenue projections include a 3% increase per year for FY25/29 due to new construction developments, and 2.5% of the annual water and sewer rates increase.
- Going forward, expenditure projections include a 5% annual increase for all funds for FY25/29 due to inflation projected easing.

Some of the major projects included in the plan are the following:

- Public Safety Combined Complex (PW Dept. - Facilities) - \$13,250,000
- North Shore Bridge Construction (PW Dept) - \$5,100,000
- Aquatic Center Renovation (Parks & Rec Dept) - \$3,200,000
- Street Resurfacing City-wide (PW Dept - Transportation) - \$2,449,079
- Vehicle Replacements (Police Dept) - \$1,675,000
- Process & Clarification Tank Rehabilitation (PW Dept-Wastewater) - \$1,520,000
- FDOT Landscape Maintenance (PW Dept - Transportation) - \$1,500,000
- Rosenwald 7 Blocks Sewer (PW Dept - Wastewater) - \$1,450,000
- Building Improvements (PW Dept - Facilities) - \$1,234,500
- Heathrow WTP Ground Storage Tank (PW Dept - Water) - \$1,080,000
- Water Meter Rebuild (PW Dept - Water) - \$1,020,000
- Pumper Engine Replacement (Fire Dept) - \$904,400 (lease)
- Infiltration & Intrusion (PW Dept - Wastewater) - \$890,000
- Bates Ave Plant Generator Overhaul (PW Dept - Wastewater) - \$880,000
- Fire Engine (Fire Dept) - \$750,000
- Master Lift Station Upgrade (PW Dept - Wastewater) - \$720,000

- Eastern Tertiary Filter (PW Dept - Wastewater) - \$660,000
- New Water Meter Service Sets (PW Dept - Water Impact) - \$630,000
- Sewer Cleaning Tank (PW Dept - Wastewater) - \$570,000
- Ferran Park Seawall (Parks & Rec. Dept) - \$550,000
- Corey Roll Field Improvements (Parks & Rec. Dept) - \$530,000
- Sidewalk Replacements City-wide (PW Dept - Transportation) - \$520,000
- Unimproved Roads Engineering Design (PW Dept - Transportation) - \$500,000
- Equipment (Police Dept) - \$490,000
- Lift Station Emergency Generator Replace (PW Dept - Wastewater) - \$475,000
- Camera Vehicle (PW Dept - Wastewater) - \$450,000
- CR44 Force Main (PW Dept - Wastewater) - \$420,000
- Signalization Camera (PW Dept - Transportation) - \$420,000
- Cornelia Dr. Second Connection Point (PW Dept - Water) - \$410,000
- Rosenwald 7 Blocks Watermain (PW Dept - Water) - \$400,000
- Dump Truck Replacement (PW Dept - Transportation) - \$400,000
- Laurel Oak Rd. Water Main Replacement (PW Dept - Water) - \$400,000
- Stormwater Camera (PW Dept - Stormwater) - \$400,000
- Street Sweeper (PW Dept - Stormwater) - \$400,000
- Mobility New Sidewalks (PW Dept - Transportation) - \$330,000

The CIP process occurs annually, enabling the city to assess projects in light of evolving circumstances and changing focal points. The plan underwent thorough examination by city staff and the City Commission. The final Plan is now put forth for approval.

The cumulative CIP amount for the upcoming five years stands at \$75,179,525. The capital projects scheduled for FY2024/25 will be incorporated as part of the FY2024/25 Annual Budget scheduled for approval on September 19, 2024.

Recommended Action

Staff recommends approval of Ordinance Number 24-31.

Alternatives

1. Approve Ordinance Number 24-31
2. Deny Ordinance Number 24-31

Community Input

Staff properly advertised the Ordinance and invited public input during the September 5th, 2024 meeting. The public was also invited to attend the budget workshops where the CIP was discussed.

Budget/Staff Impact

There is no specific staff or budget impact associated with approval of the Ordinance other than the budgetary impact of the Plan itself. The Plan, if approved, will be included in the proposed FY2024/25 Annual Budget to be presented to the Commission at the September 19th, 2024, meeting scheduled to be held at the City Commission Chambers.

Prepared By:

Lori Carr, Finance Director

Reviewed By:

Mike Sheppard, Deputy Finance Director

Attachment: City of Eustis Capital Improvement Plan book FY2025-2029 will be provided at the meeting.

ORDINANCE NUMBER 24-31

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.

WHEREAS, Florida Statutes 163.3177(3)(b) requires the City to undertake an annual review of the Capital Improvements Element and update the Five-Year Capital Improvement Schedule by Ordinance; and

WHEREAS, the City Commission has reviewed and accepted the Five-Year Capital Improvement Plan for Fiscal Year 2025 through the Fiscal Year 2029.

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

Section 1.

The Capital Improvement Plan for Fiscal Year 2025 through the Fiscal Year 2029 is hereby adopted as the annual update of the Five-Year Capital Improvement Schedule in the Capital Improvement Element based on the Comprehensive Plan requirements.

Section 2.

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

Section 3.

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.

That this Ordinance shall become effective immediately on passing.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 5th day of September, 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 5th day of September, 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 on the City Commission of the City of Eustis, Florida.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-31 is hereby approved. 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: September 5, 2024

RE: **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

Ordinance Number 24-33 – Comprehensive Plan Amendment

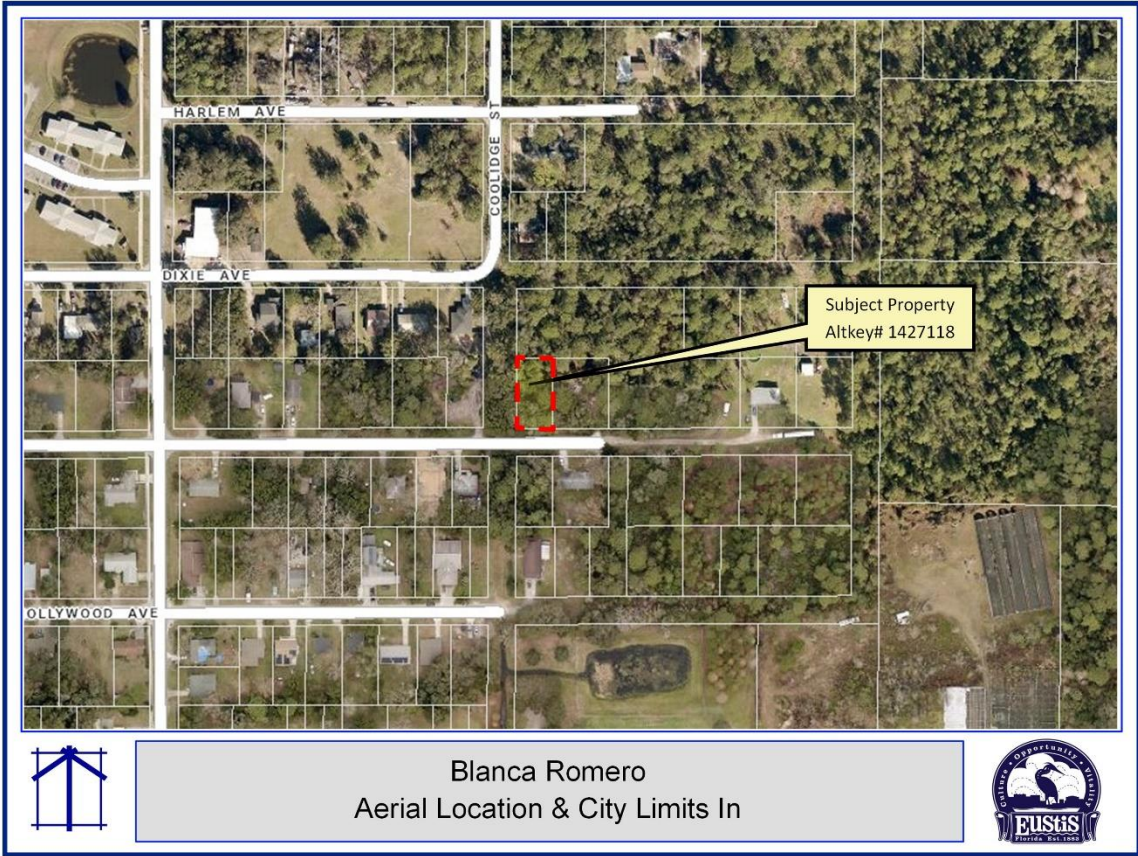
Ordinance Number 24-34 – Design District Assignment

Introduction:

Ordinance Number 24-32 provides for the voluntary annexation of approximately 0.19 acres of land located at Coolidge Street and Suanee Avenue, on the north side of Suanee Ave. (Alternate Key Number 1427118). Provided the annexation of the subject property is approved, via Ordinance Number 24-32, Ordinance Number 24-33 would change the future land use designation from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis, and Ordinance Number 24-34 would assign the subject property a design district designation of Suburban Neighborhood. If Ordinance Number 24-32 is denied, then there can be no consideration of Ordinance Numbers 24-33 and 24-34.

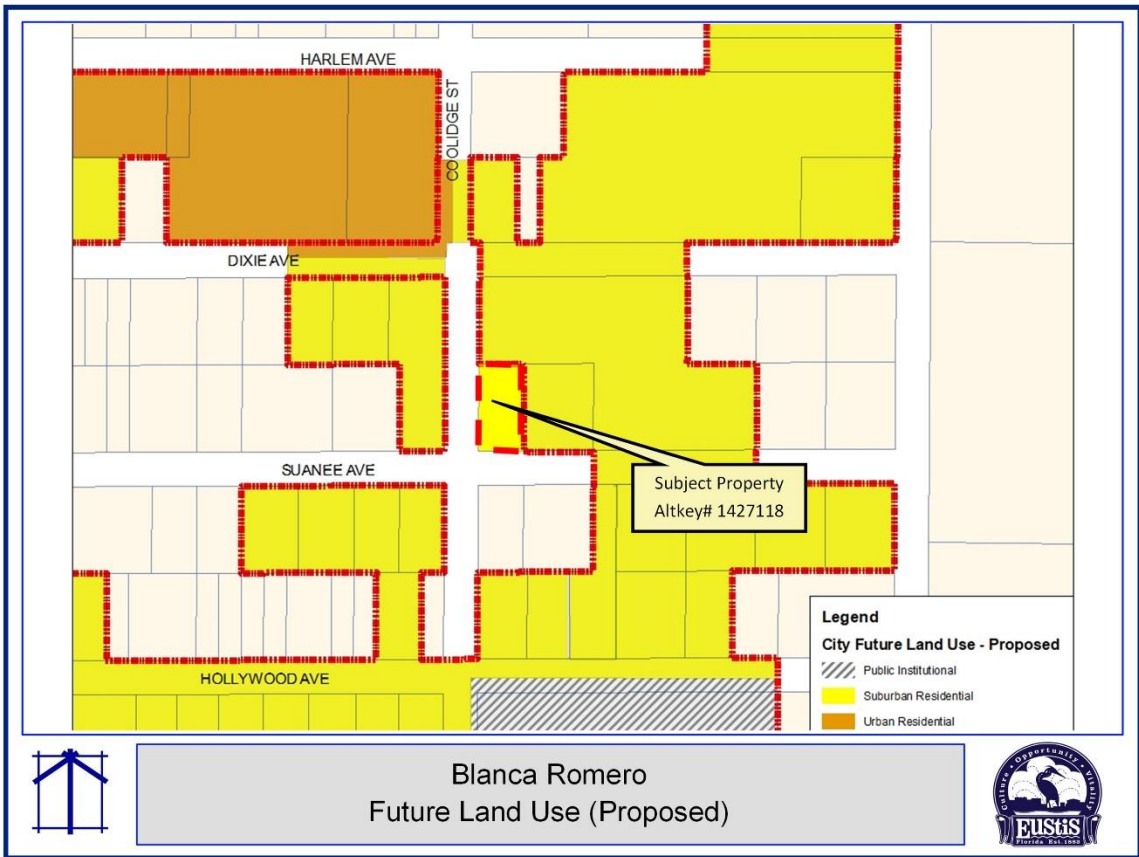
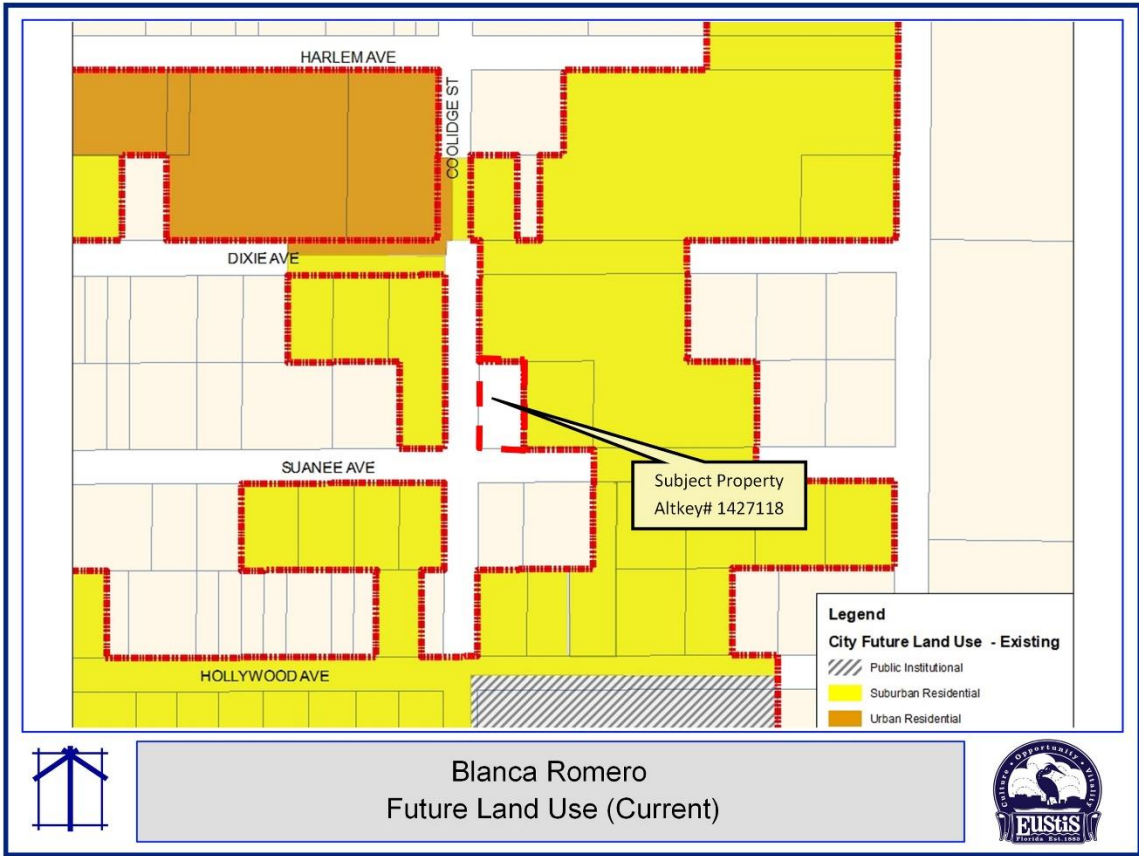
Background:

1. The site contains approximately 0.19 acres and is located within the Eustis Joint Planning Area. The property to be annexed is a portion of the Rosenwald Gardens subdivision and a subsequent partial replat dating back to 1954. *Source: Lake County Property Appraisers' Office Property Record Card Data.*
2. The proposed annexation property is within an enclave area of the City and is contiguous to the City boundaries represented on the Location map, herein.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 24-33 would change the land use designation to Suburban Residential (SR) in the City of Eustis.



Surrounding properties have the following land use designations:

Location	Existing Use	Future Land Use	Design District
Site	Vacant	Urban Low (Lake County)	N/A
North	Vacant	Suburban Residential	Suburban Neighborhood
South	Single-Family	Urban Low (Lake County)	N/A
East	Vacant	Suburban Residential	Suburban Neighborhood
West	Vacant	Urban Low (Lake County)	N/A



Applicant's Request

The applicant and property owner, Blanca Romero, wishes to annex the referenced property, change the future land use to Suburban Residential (SR), and assign a design district of Suburban Neighborhood.

The current Lake County future land use designation for the subject property is Urban Low. The Lake County land use designation allows for residential uses of up to 4 dwelling units per net buildable acre.

The property owner has requested the City of Eustis Suburban Residential future land use designation with the annexation. The SR future land use provides for residential uses up to five (5) dwelling units per acre.

Analysis of Annexation Request (Ordinance Number 24-32)

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.”

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

2. 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 Eustis-Lake County 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; the property is part of a partial enclave, it is contiguous to the City limits on the Northern and eastern boundaries, and the owner petitioned for annexation.

3. Florida Statutes Voluntary Annexation - Chapter 171.044(2):

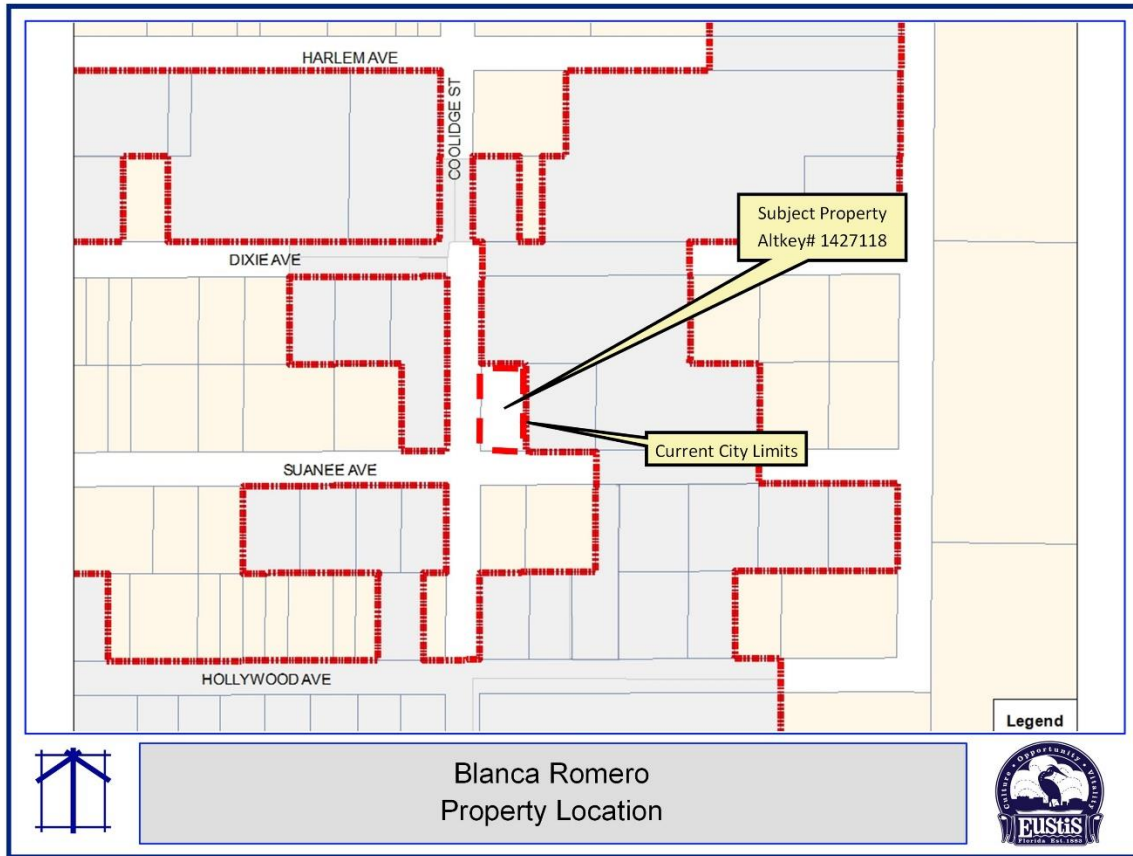
“...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town...”

The department published notice of this annexation in the Daily Commercial following the established requirements on August 26, 2024, and again on September 1, 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.”

Annexation of the subject property does not create an enclave as defined by the Florida Statutes. The subject property is included in a portion of the city that can be considered a partial or open 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 provided notice to the Lake County Board of County Commissioners on August 16, 2024, via email and by Certified Mail.

Analysis of Comprehensive Plan/Future Land Use Request **(2024-CPLUS-10) Ordinance Number 24-33)**

In accordance with the 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 future land use will provide for a higher density (5 du/acre) and the SR designation allows the infill of development types similar to the existing patterns at similar densities.

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 subject property is located in an enclave area and will be requiring city services in order to develop.

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 subject property is located in an enclave area and will be requiring city services in order to develop. The underlying lot within the proposed annexation that will be subject to the Suburban Residential Future land Use was platted in the early to mid-1950s.

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.

This indicator does not apply. The subject property is not subject to floodplain impact, and does not contain wetland areas. The subject property was originally platted in the 1950s as part of the Rosenwald Gardens subdivision. The Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development 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.

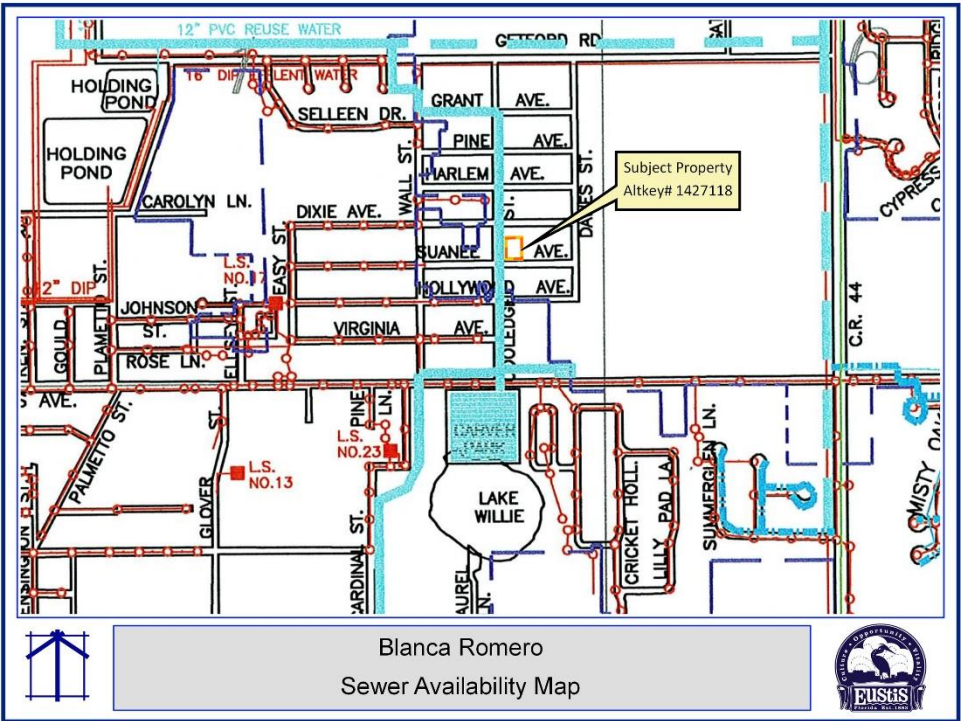
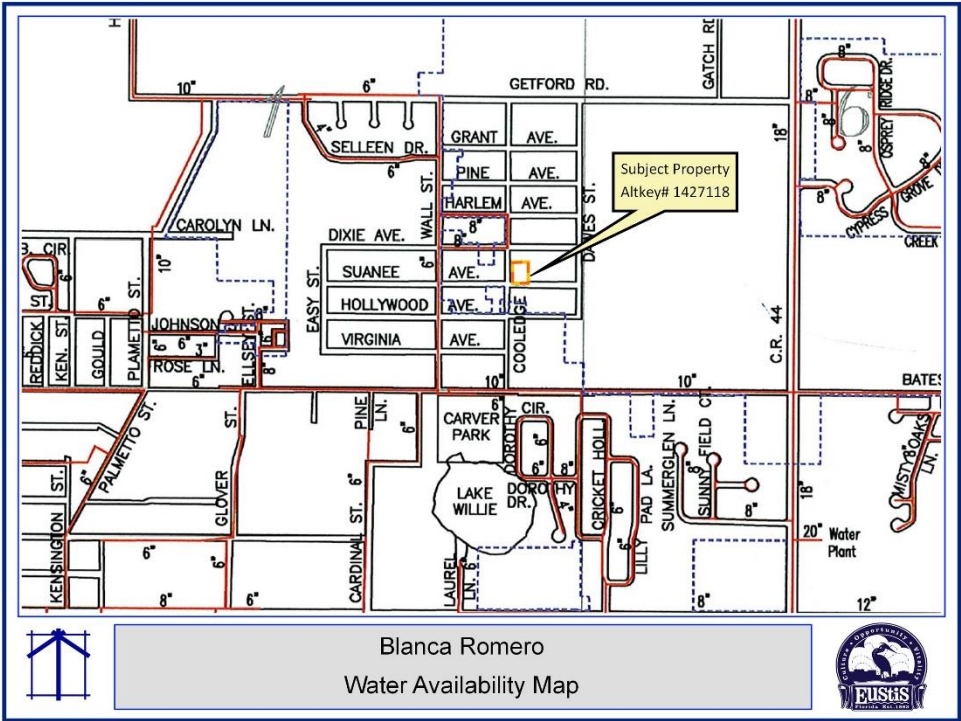
This indicator does not apply. This site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed and further developing area.

6. Public Facilities:

Fails to maximize the use of existing public facilities and services.

This indicator does not apply. City water will be available to serve the property. Development of this parcel will maximize the use and efficiency of the City water services. City Sewer is available with adequate capacity to serve the property and will be addressed via the site development process. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but a

overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.



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 emergency response, and general government.

This indicator does not apply. Adequate capacity will be available to serve the existing and future development. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.

8. Separation of Urban and Rural:

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

This indicator does not apply. No nearby properties contain active agricultural activities or use. The surrounding area is developed or has development entitlements attached to the land. These developments have densities and intensities that are clearly suburban uses.

9. Infill and Redevelopment:

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

This indicator does not apply. This property will promote infill development by allowing access to public facilities.

10. Functional Mix of Uses:

Fails to encourage a functional mix of uses.

This indicator does not apply. The site is surrounded by single-family development on the adjacent properties, which is consistent with permitted uses in the area.

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 access and linkage between related uses. City Departments will ensure compliance with these standards at the time of development review.

12. Open Space:

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

This indicator does not apply. The site does not contain functional open space and is not connected to regionally significant open space. The subject property is an existing residential lot.

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 adjacent to existing urban/suburban development patterns and is a logical infill of the urban development boundary. The Comprehensive Plan and Land

Development Regulations have provisions to protect natural resources ecosystems at the time of site plan approval.

b. Efficient and Cost-Effective Services:

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

Water and Sewer service will be available. The development of the property will further encourage the efficient provision of services. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.

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.

At the time of development, the site must meet the City's Land Development Regulations including the creation of streets and street connections where they do not currently exist. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes street improvements and sidewalks.

d. Water and Energy Conservation:

Promotes the conservation of water and energy.

The development of the site must meet City development and Florida Building Code standards that will require energy-efficient and water-efficient appliances.

e. Agricultural Preservation:

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

Not applicable; this site and adjacent areas do not support active agricultural or silvicultural activities. The site is within an existing developed residential area.

f. Open Space:

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

This is not applicable. The site does not provide functional open space or natural areas on a regional basis.

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.

The proposed land use is consistent with the surrounding area of the site and is not positioned to front primary or secondary corridors that would encourage commercial development.

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 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:

Eustis Emergency Services already provide emergency response to other properties in the area. Any development consistent with the Suburban Residential future land use designation would not have a significant negative impact on the operations of Eustis emergency services.

b. Parks & Recreation:

In 2010, the City prepared a Park Inventory and Level of Service Demand and Capacity analysis as part of the Comprehensive Plan Evaluation and Appraisal Report. The results show that a surplus of park area exists up to and beyond the City's population of 20,015. The current population is approximately 24,500. Pursuant to Comprehensive Plan policies and Land Development Regulations, residential development will be required to provide on-site park amenities.

c. Potable Water & Sanitary Sewer:

Water and sewer will be available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems.

d. Schools:

The proposed change should not negatively impact schools. At the time of development application, verification of capacity will be required from Lake County Schools.

e. Solid Waste:

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

f. Stormwater:

The Comprehensive Plan and Land Development Regulations include the 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. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes improvements and additions to address stormwater management for the vicinity.

g. Transportation Network Analysis:

This potential annexation and the subsequent development of the property will not add additional impacts as the parcels being annexed include existing platted lots.

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. Groundwater recharge areas:

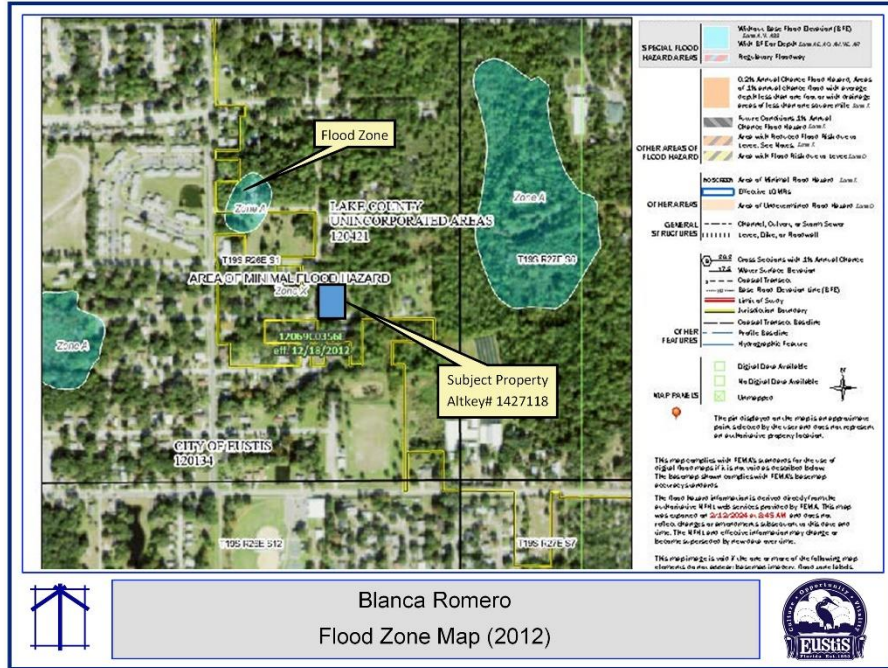
The site may be within a recharge area, and a site-specific geotechnical and hydrologic study will be needed to determine the site-specific impact at the time of development. Source: Lake County Comprehensive Plan 2030 Floridian Aquifer Recharge Map.

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.

c. Flood zones:

The subject property is not impacted by a 100-year flood zone area. Source - Lake County GIS - 2012 Flood Zones.



d. Soil and topography:

The site soils are primarily Myakka sands. These sands are all typically moderately to poorly drained soils.



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.

Existing Land Use According to the Lake County Comprehensive Plan:

The existing Lake County future land use designation of the property is Urban Low, which provides for residential uses at up to 4 dwelling units per acre as well as supporting commercial and institutional uses.

Proposed Land Use According to the Eustis Comprehensive Plan:

The Suburban Residential (SR) land use designation is provided to accommodate the majority of residential development within the City. The general range of uses include: a mix of single family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted. Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre.

Comparison of Lake County Development Conditions

The land use designations of residential properties within the City of Eustis in the surrounding area are generally Suburban Residential (SR) with a maximum density of 5 dwelling units per acre (du/ac).

The surrounding properties, immediately adjacent to the south and west, are unincorporated areas are designated Urban low with a maximum density of 4 dwelling units per net buildable acre.

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.

This area is predominantly residential in nature and the proposed use of the land will continue to be residential.

Proposed Non-Residential Land Uses.

The City shall generally not permit new industrial uses to be located adjacent to existing or planned residentially designated areas.

Not applicable.

1. 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 use of the land is already residential in nature and was previously platted; the increase in traffic should be negligible.

2. 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.

City water service and other services will be available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity will be available. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems.

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 in the comprehensive plan.

The proposed amendment is consistent with the Comprehensive Plan.

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 existing land uses in the immediate area are residential and the proposed use of the land is continued residential.

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. 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 sewer services will be available and in close proximity to the site. Adequate capacity will be available to serve future development consistent with the requested Suburban Residential future land use designation. The Coolidge Street/Rosenwald Garden area is the target for a City planned improvement project that includes extensive water and sewer system improvements. This work includes not only line improvements and extensions but also overall improvements to the water distribution and sewer collection systems. Improvements will also include streets, stormwater systems, and sidewalks.

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 therefore, efficiency will improve.

f. *Impact on Environment:*

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

The site contains no apparent natural resources and is not connected to significant open space.

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.

The site is contiguous to the City limits. The development patterns already exist in the area and the future building on the previously platted lots will not cause incompatibilities with those development patterns.

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 lifestyle.”

The requested designation of SR land use will provide for orderly growth and development. This designation would advance the public interest by potentially providing additional housing, and the application of the LDRs to future development will ensure consistency with the community character and lifestyle of the city.

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 24-34**):

Form-Based Code:

The City's Land Development Regulations is 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. Standards for Review:

The Land Development Regulations include 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 Neighborhood). The Suburban development pattern and intent, and the Suburban neighborhood definition, structure, and form description are stated below. The assignment of a Suburban Neighborhood design district designation is appropriate due to the established and proposed development patterns in the area.

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. Each land use provides for pedestrian and bicycle connections.

Design districts – Suburban Neighborhood

- a. Definition. Predominately residential uses with some neighborhood-scale commercial services.
- b. Structure. Interconnected trails, bikeways, and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.
- c. Form. Mix of detached residential uses with some neighborhood-supporting retail, parks and civic spaces as focal points in the neighborhoods.

The Suburban development patterns statement above indicates that residential uses are primarily located on streets with fewer vehicle connections. A Suburban Neighborhood designation follows the district pattern and intent outlined in the Land Development Regulations and is consistent with the existing transect in the area.

c. Section 102-17(a)

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

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

Reassignment is not being proposed; a Eustis design district designation must be assigned to annexed property; the proposed design district is compatible with the surrounding design districts.

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 Neighborhood definition, structure, and form are compatible with the existing uses and any proposed uses permitted under the Suburban Residential 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 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.

A redistricting is not proposed. Assigning a design district to an annexation property will not change the demand impact 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 the analysis of public facilities in the above sections of this report.

h. *Impact on 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. As building permit approval must be obtained before development can begin, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

i. *Property Values:*

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

Redistricting is not being proposed; a Eustis design district designation must be assigned to the annexed property. This request should not 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 request is the assignment of a design district to an annexation parcel, not redistricting. However, the proposed Design District designation is consistent with the suburban development pattern identified in Section 109-5.5 of the Land Development Regulations. 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 request is the assignment of a design district to an annexation parcel redistricting. The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

I. Other Matters:

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

The request is the assignment of a design district to an annexation parcel, not 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 use, densities, intensities, or required open space. The districts, therefore, must be consistent and follow the urban, suburban, and rural transects. This request assigns a Suburban Neighborhood design district designation to an annexation parcel, which is consistent with the existing transect.

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. Comprehensive Plan – Suburban Residential (SR)

This designation is provided to accommodate the majority of residential development within the City.

General Range of Uses: This designation is intended to provide for a mix of single-family detached, patio home, and townhouse dwellings in a suburban atmosphere and may also include ACLF, parks and recreation facilities, and schools. Apartments may be permitted through the PUD process. Public and utility services and facilities that are 2 acres or less in size are also permitted.

Maximum Density/Intensity: Suburban Residential lands may be developed up to a maximum density of 5 dwelling units per net buildable acre. The maximum density may be exceeded through an affordable housing density bonus as provided in the Special Provisions below.

Special Provisions:

- (1) Density bonuses are permitted for the provision of affordable housing, including opportunities for a bonus increase between 5-15 percent in density in the Suburban Residential (SR) classification where at least 20 percent of the dwelling

units are affordable to families having incomes less than 80 percent of the Orlando Metropolitan Statistical Area median, or where at least 50 percent of the dwelling units are affordable to families having incomes less than 120 percent of the Orlando Metropolitan Statistical Area median. Affordability is based on a housing cost-to-family income factor of 30 percent. A density bonus may also be allowed for energy conservation or green certification as provided for in the LDRs. The combined density bonus for affordable housing and energy conservation/green certification is limited to a total increase of 15%.

- (2) Permit the placement of residential units manufactured off site which otherwise meet all applicable federal and state regulations and standards, provided that:
 - a. all such housing is attached to foundations as in the case of conventional site-built construction; and
 - b. all such housing otherwise meets applicable lot, yard, and related residential classification as set forth in the Land Development Regulations.
- (3) Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.
4. Land Development Regulations Section 109-5.5(b)(1): The Suburban Neighborhood Design District has predominately residential uses with some neighborhood-scale commercial services with interconnected trails, bikeways and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.
5. Land Development Regulations Section 109-3 (Table 1) and Section 109-2.6: Suburban Residential land use has a maximum density of 5 units to one acre. The Suburban Residential designation is intended to regulate the character and scale of allowed uses so as to minimize their impacts on adjacent roadways and promote their compatibility with adjacent or nearby land uses.

Recommended Action:

Development Services recommends approval of Ordinance Numbers 24-32, 24-33, and 24-34.

Policy Implications:

None

Budget/Staff Impact:

There would be no direct costs to the City beyond the normal City services. There would be no additional staff time beyond the normal review process.

Prepared By:

Jeff Richardson, Deputy Director, Development Services

Reviewed By:

Mike Lane, AICP, Development Services Director

ORDINANCE NUMBER 24-32

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.

WHEREAS, Blanco Romero made an application for voluntary annexation of approximately 0.19 acres of real property located on Coolidge Street and Suanee Avenue, on north side of Suanee Ave., more particularly described as:

Alternate Key Number: 1427118
Parcel Number: 01-19-26-0600-011-01900
Legal Description: ROSENWALD GARDENS PB 5 PG 61 LOTS 19, 20 BLK 11 ORB 5850 PG 857

(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 **September 5, 2024**, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on **September 19, 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 0.3 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 _____ 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 ____ day of _____, 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 City Commission of the City of Eustis, Florida.

City Attorney's Office

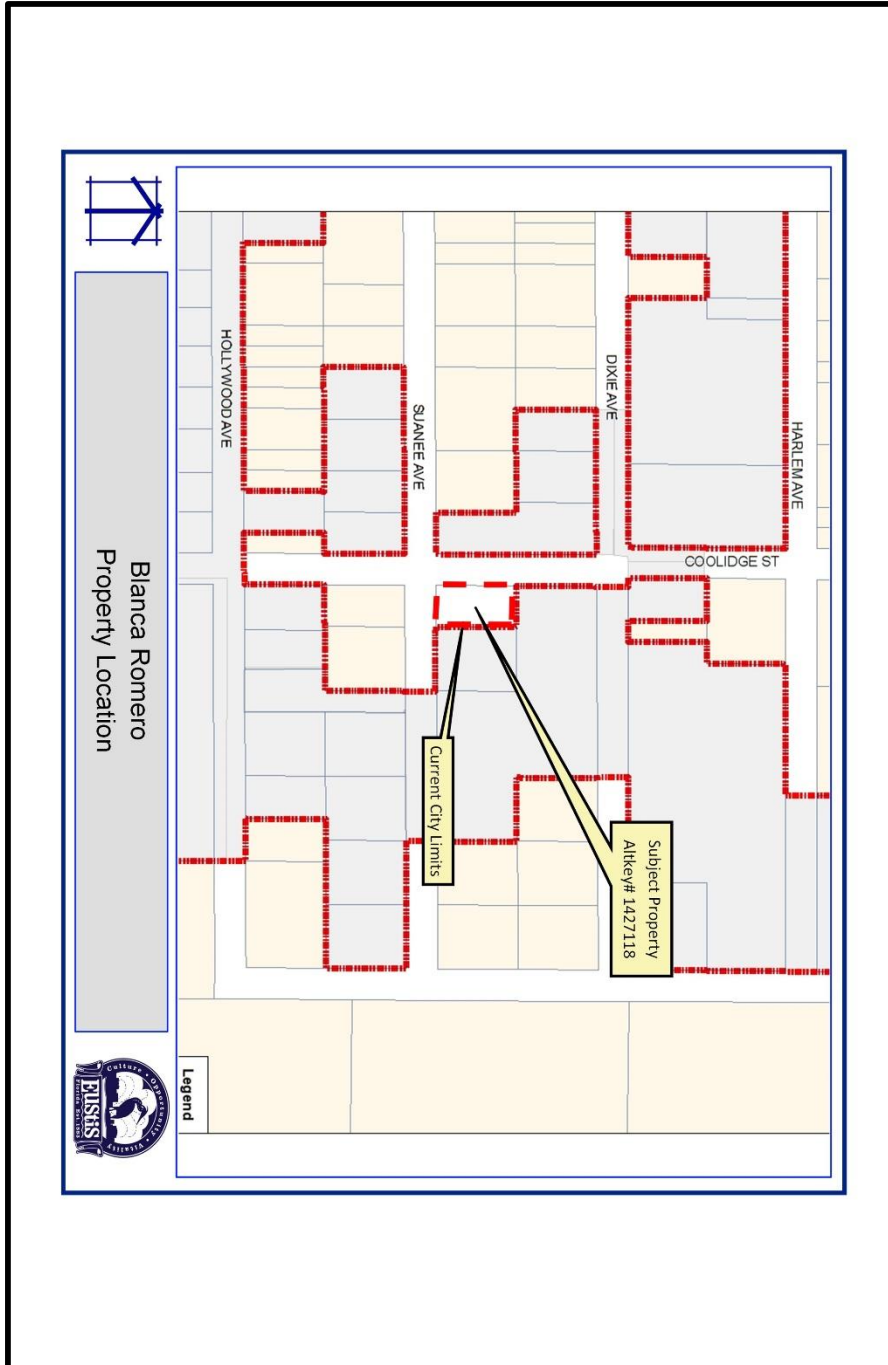
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-32 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



ORDINANCE NUMBER 24-33

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.

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 0.19 acres of real property at Lake County Property Appraiser's Alternate Key Number 1427118, on Coolidge Street and Suanee Avenue, on north side of Suanee Avenue., and more particularly described herein; and

WHEREAS, on **September 5, 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 **September 5, 2024**, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

WHEREAS, on **September 19, 2024**, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein;

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 Low in Lake County to Suburban Residential within the City of Eustis:

Alternate Key Number: 1427118

Ordinance Number 24-33
 Suburban Residential Future Land Use District Assignment
 Alternate Key Number 1427118
 Page 1 of 4

Parcel Number: 01-19-26-0600-011-01900
 Legal Description: ROSENWALD GARDENS PB 5 PG 61 LOTS 19, 20 BLK 11
 ORB 5850 PG 857

(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 Department of Economic Opportunity 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 Economic Opportunity 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 Department of Economic Opportunity.

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 ___ day of _____, 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 City Commission of the City of Eustis, Florida.

City Attorney's Office

Date

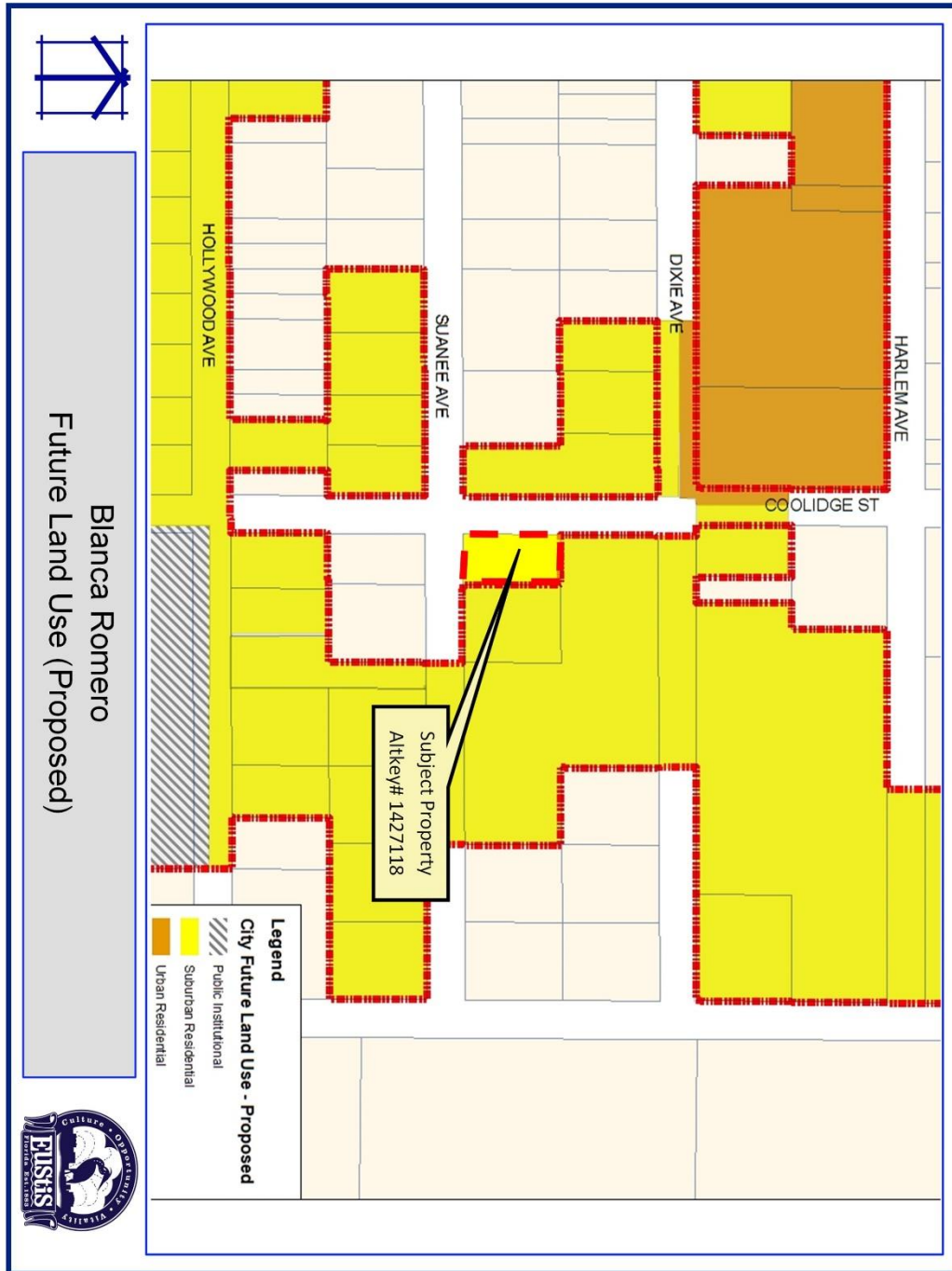
CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-33 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

Future Land Use Map



ORDINANCE NUMBER 24-34

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.

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 Neighborhood to approximately 0.19 acres of recently annexed real property further described below, and

WHEREAS, on **September 5, 2024**, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, on **September 19, 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: 1427118

Parcel Number: 01-19-26-0600-011-01900

Legal Description: ROSENWALD GARDENS PB 5 PG 61 LOTS 19, 20 BLK 11 ORB 5850 PG 857

(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 24-34.

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/Commission

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this ____ day of _____, 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.

City Attorney's Office

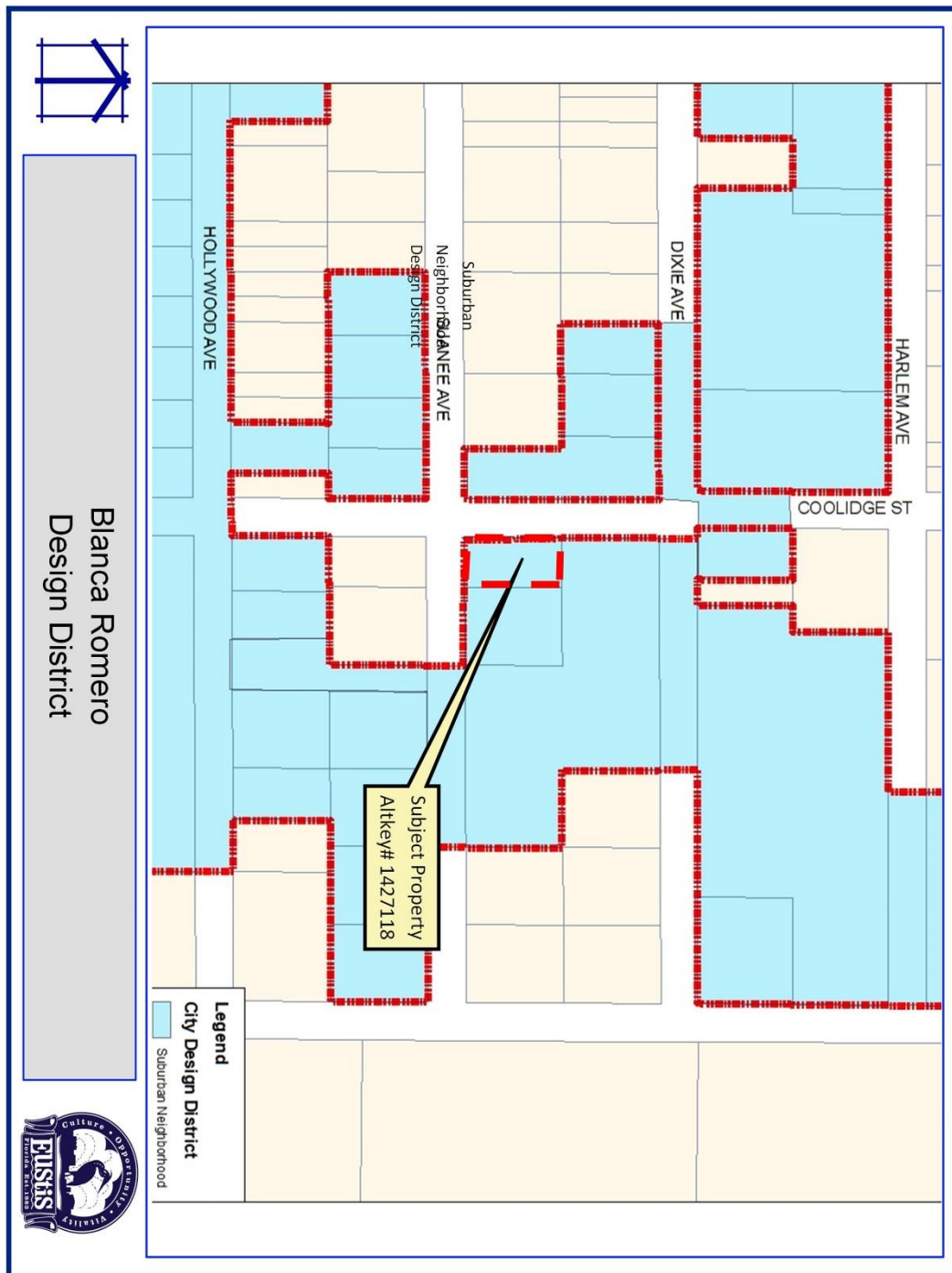
Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 24-34 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 Design District Map





City of Eustis

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

TO: EUSTIS CITY COMMISSION
 FROM: TOM CARRINO, CITY MANAGER
 DATE: SEPTEMBER 5, 2024
 RE: ORGANIZATIONAL AND EVENT SUPPORT GRANTS FINAL RECOMMENDATIONS

Introduction

The purpose of this presentation is to provide for the final determination of the awards to be authorized by the City Commission regarding organizational and event grant requests for funding in FY 2023/2024 (commencing October 1, 2023).

On July 31, 2024 City staff met to evaluate the eight applicants regarding their organization and the benefits provided to the City of Eustis residents in order to determine recommended award amounts.

Recommended Action

Staff requests Commission direction regarding grant awards and funding allocations for FY 2023-24 as presented by the committee, or adjusted awards requested by the Eustis Commission.

Background

The Commission included an allocation of \$30,000 for grant funding in the FY 2023-24 budget for the support of not-for-profit organizations and events within the City of Eustis, with a reserve of \$2,500 to be allocated by the Commission at a later date. The Amazing Race was allocated and paid \$6,500 earlier this year, leaving \$21,000 to be distributed. Last year we had 9 requests totaling \$70,900. Three of this year's applicants were requesting in-kind services by the City outside of this program in varying amounts.

A committee was organized to: (a) review the applications, (b) confirm that the basic requirements were met, and (c) provide a recommendation to the Commission based upon the evaluation criteria. The committee was comprised of the City Manager, Finance Director, Development Services Director, Economic Development Director and Deputy Finance Director.

The eligibility criteria are as follows:

Event Eligibility Criteria

1. The event sponsor must be a 501(c)(3) organization.
2. The event must be open to and provide a benefit to all citizens of Eustis in addition to attracting a substantial number of visitors.
3. The event must contribute to the economic vitality of the community.
4. The event sponsor must provide a full accounting of the total event funds and expenditures.

Organization Eligibility Criteria

1. The organization must be a 501(c)(3) corporation.
2. The organization must provide services that improve the quality of life for a majority of the citizens of Eustis.
3. The organization must provide a financial statement and a full accounting of the use of the grant funds.
4. **A new criterion is as follows: The grant funding will be provided after the organization provides a complete report of the use of funds along with appropriate receipts (on a reimbursement bases) and the event must take place during the current fiscal year 2023/2024 of the City. Once awards are determined, recipients will be invited back to give a presentation and provide the accounting for the cost incurred.**

Ineligible Organizations and Grant Expenditures include

1. Loans, debt retirement, or debt financing.
2. Capital improvements, acquisitions, and restorations (facilities and equipment).
3. Events or projects closed to the general public.
4. Religious ceremonies or events.
5. Parties, receptions, and other social activities.
6. Fundraising events and sponsorships.
7. Political organizations or campaigns.
8. Fraternal organizations, societies, or orders (501(c)(4) designations).
9. Support staff positions.
10. Endowments.

Applications

The following organizations submitted grant requests:

<u>Applicant Name</u>	<u>Grant Request</u>	<u>In Kind Request</u>
Act of Hope Ministries, Inc.	\$ 10,000	No
LovExtension, Inc.	\$ 5,000	No
Amazing Race for Charity	\$ 6,500	Yes
Bay Street Players	\$ 25,000	No
LifeStream Behavioral Center	\$ 7,500	No
Lake Cares	\$ 5,000	No
Paws Therapy Dog, Inc.	\$ 1,500	Yes
Lake Cares	\$ 5,000	No
Trout Lake Nature Center	\$ 10,500	Yes
Total	<u>\$ 71,000</u>	

Each application is summarized and evaluated as follows:

1. Act of Hope Ministries, Inc.

- a. Request of \$10,000: recommended FY 2023-24 award of \$0.
- b. Purpose of funding: Back to School supplies to assist struggling parents, providing the food pantry and clothing for community needs.
- c. In-Kind service requests: none

Considerations

- The City currently has a program at our Parks and Recreation Department and Events Department for back to school. Other entities within the City also have back to school events. We also have Lake Cares and others we donate food for their pantries.
- Did not provide a 501(C)(3).
- The committee suggested that the City could run a food donation program and donate the food collected to Act of Hope Ministries, similar to one that we do with Win-1 Ministries during their December drive.

2. LovExtensions, Inc.

- a. Request \$5,000: recommended FY 2023-24 award of \$1,500.
- b. Purpose of funding: Food for seniors and disabled adults in Eustis.
- c. In-Kind Service request: None

Considerations

- To assist seniors and disabled adults cope with the cost of inflation.
- Non-perishable foods are provided as well as other personal items.
- Deliveries made to the residence.
- Mission to help improve the life of those served.

3. Amazing Race for Charity, Inc.

- a. Request \$6,500: recommended FY 2023-24 award of \$6,500.
- b. Purpose of funding: race preparation, promotion, and sponsorship.
- c. In-kind service requests: use of City parks, garbage cans, waiver of fees, public works personnel and law enforcement.

Considerations

- The event includes a free public festival at Ferran Park, including music and food, with many vendors.
- The event brings over 1,000 visitors to the City.
- The event continues to be very successful.
- The money left after expenses is distributed to numerous charities.

4. Bay Street Players

- a. Request \$25,000: recommended FY 2023-24 award of \$3,500.
- b. Purpose of funding: to provide quality entertainment and expose young people to cultural theater through the Young People's Theater, and to cover operating and production expenses.

Considerations

- The organization contributes to the economic vitality of the City.
- The organization brings visitors to the City.
- The organization intends to upgrade the website to keep community informed of its diversity.

5. LifeStream Behavioral Center (Open Door)

- a. Request \$7,500: recommended FY 2023-24 award of \$4,300.
- b. Purpose of funding: to support the Open Door, a one-stop location linking homeless individuals and families to needed amenities and services, and ultimately assisting them in securing safe affordable housing, jobs and support.

Considerations

- In recent years, there has been an increase in homeless families.
- Offers to serve 321 Eustis residents.
- Provides access to showers, laundry facilities, computers, and assistance with job training and employment placement.
- There are no costs associated for services provided.

6. Lake Cares

- a. Requested \$5,000: recommended FY 2023-24 award of \$4,000.
- b. Purpose of funding: to assist in providing food to Eustis residents in need. Their mission is to “Feed the Body, Educate the Mind and Lift the Spirit of all Individuals”.

Considerations

- Funding will be used for the purchase of food for Eustis residents.
- Based on 2023 distributions, over 34% of Lake Cares clients were residents of Eustis.

7. Paws Therapy Dogs, Inc.

- a. Request of \$1,500: recommended FY 2023-24 award of \$1,750.
- b. Purpose of funding: training of a handler and a dog to learn about therapy dog work.
- c. They assist other charities and nursing homes, retirement centers, schools, fire/police departments and many other places.
- d. They serve approximately 36% of Eustis residents compared to the total served.

Considerations

- Provides opportunities to improve the spirit of people confined with an experience of unconditional love and affection from an animal.
- Operated solely through volunteers.
- Teaching children and adult how to safely engage with dogs.

8. Trout Lake Nature Center, Inc. (TLNC)

- a. Request of \$10,500: recommended FY 23-24 award of \$4,750.
- b. Purpose of funding: to support TLNC programs and facilities with exhibits, trails, and educational programs for children, adults and the community.
- c. In-kind services requests: includes ice for special events, review of specifications for construction projects, waiver of some permit fees.

Considerations

- They anticipate 21,000 visitors and 13,000 Eustis residents.
- The organization contributes to the economic vitality of the City.

Consideration for Discussion

The grant committee used the following criteria to evaluate the grant applications.

Project Purpose (up to 30 points): Encourages celebrations of community and cultural opportunities (events), or provides a community service that benefits the community as a whole.

- a. Objectives clearly presented.
- b. Commitment to improvement.

Longevity (up to 15 points):

- a. Years in existence.
- b. Improvement of organization.
- c. Number of years the project or event has been in existence.

Leveraging of funds (up to 10 points): Use of non-City funds and proportion.

Community-wide benefit (up to 15 points):

- a. Marketing to the entire community.
- b. Promotion of diversity/ethnicity.

Collaboration (up to 5 points): Involvement with various community entities.

In-kind Services (up to 10 points for none): Number and estimated cost of requested in-kind services (not seeking any = 10 points).

The committee ranked the applications according to the criteria. Then points were tallied for each applicant. The committee ranked the applicants and used a weighted average methodology to determine the grant award. Those receiving \$0 did not comply with the *Minimum Application Submittal* requirements. The following grant award recommendations are based on grant criteria:

<u>Applicant Nave</u>	<u>Grant Request</u>	<u>Recommended Grant Award</u>
Act of Hope Ministries	\$10,000	\$ 0
LovExtension	\$ 5,000	\$ 1,500
Amazing Race for Charity	\$ 6,500	\$ 6,500
Bay Street Players	\$25,000	\$ 3,500
LifeStream (Open Door)	\$ 7,500	\$ 4,300
Lake Cares Food Pantry, Inc.	\$ 5,000	\$ 4,000
Paws Therapy Dogs, Inc.	\$ 1,500	\$ 1,750
Trout Lake Nature Center	<u>\$10,500</u>	<u>\$ 4,250</u>
Total	<u>\$71,000</u>	<u>\$25,800</u>

Most of the organizations are local and do not have a national presence which would allow more attention to care for our community. The Amazing Race was previously given \$6,500, since it was necessary for them to make their disbursements for the race held in April, 2023. Next year the City will be taking over this event.

Prepared By: Mike Sheppard, Deputy Finance Director

Committee Members: Tom Carrino, City Manager, Lori Carr, Finance Director, Mike Lane,
Development Services Director and Al Latimer, Economic Development Director

Item 7.1