



AGENDA

City Commission Meeting

6:00 PM – Thursday, December 14, 2023 – City Hall

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: COMMISSIONER NAN COBB

CALL TO ORDER

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

2.1 Approval of Minutes

November 16, 2023 City Commission Workshop
November 16, 2023 City Commission Meeting

3. PRESENTATIONS

3.1 Organizational Grant: Lake Cares

3.2 Organizational Grant: Bay Street Players

4. AUDIENCE TO BE HEARD

5. CONSENT AGENDA

5.1 Resolution Number 23-44: Rescinding of Lien/Release of Lien - 415 Jennifer Lane, Code Case 11-249

5.2 Resolution Number 23-106: Approving a purchase in excess of \$50,000 for the lease of various holiday decorations

5.3 Resolution Number 23-108: Authorizing the recording of liens on delinquent utility accounts

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 Resolution Number 23-104: America-In-Bloom: Clifford House Museum's Grounds and Garden Restoration and Corresponding Budget Amendment

6.2 Resolution Number 23-105: Fiscal Year 2023-2024 Budget Amendment for the Clifford House Museum

6.3 Resolution Number 23-107: Approving Contract with Lake County Sheriff for Provision of 9-1-1 Dispatch Services Migration

6.4 Ordinance Number 23-30: **FIRST READING** Conditional Use Permit for Barbed Wire Fencing – ACE Hardware 18691 US Highway 441

7. OTHER BUSINESS

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.

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



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Christine Halloran, City Clerk

DATE: December 14, 2023

RE: Approval of Minutes

Introduction:

This item is for consideration of the minutes of the November 16, 2023 City Commission Workshop and the November 16, 2023 Regular City Commission Meeting.

Recommended Action:

Approval of the minutes as submitted.

Prepared By:

Mary Montez, Deputy City Clerk

Reviewed By:

Christine Halloran, City Clerk



MINUTES

City Commission Meeting

6:00 PM – Thursday, November 16, 2023 – City Hall

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: COMMISSIONER GARY ASHCRAFT

CALL TO ORDER: 6:02 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

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

1. **AGENDA UPDATE**

Tom Carrino, City Manager, announced that he would provide a presentation on the traffic study recently completed and its analysis by the Police Department. He asked to present that prior to Audience to be Heard.

2. **APPROVAL OF MINUTES**

2.1 Approval of Minutes

October 19, 2023 City Commission Workshop
November 2, 2023 City Commission Meeting

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

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

Presentation regarding recent traffic counts

Mr. Carrino reviewed the statistics obtained by staff from the Lakeview Avenue and Grand Island traffic counts. He noted the City has received requests for traffic calming in the Grand Island Reserve. Regarding Lakeview Avenue, he stated the data revealed the average speeder was doing 35 mph which exceeds the speed limit by 5 mph. He added that the counts also showed that the highest traffic volume was weekdays, 5 p.m. to 6 p.m., with an average count coming from both directions at 227 vehicles during that hour. He explained that the road capacity at peak p.m. time in either direction is 530 vehicles. He stated that the City would continue to do enforcement; however, it does not appear that there is a speeding issue and capacity is a fraction of what the road can handle. He added that the preliminary traffic study done for Hidden Cove showed it would only add 14 vehicles in either direction.

Mr. Carrino then reviewed the data from Grand Island Reserve. He stated the average speeder was doing 29 mph which exceeds the speed limit by 4 mph. He explained that, while the City will continue to do enforcement, it is within acceptable ranges.

Mr. Carrino then reported on what criteria is required for the installation of traffic calming facilities. He indicated that traffic calming should not reroute traffic to another local road. He explained that to install traffic calming 70% of the residents must sign a petition. He

summarized that neither area qualifies for traffic calming under the City's current guidelines. He noted that Commissioner Ashcraft had asked him to look at the current guidelines to see if they need to be updated. He stated that if all the criteria are met, the City will pay for the traffic calming improvements; however, the question was if all the criteria are not met but the neighborhood wants to do it and they get the required signatures would the City allow them to pay for the traffic calming improvement. He indicated that staff drafted some changes that would allow neighborhoods that want to pay for traffic calming to provide a path for that.

Commissioner Ashcraft asked how many days of data collection were done with Mr. Carrino responding that each was collected for about ten days.

Commissioner Hawkins expressed support for traffic calming criteria to be different in areas around schools.

Mayor Holland commented on issues with students going to and from the high school along Lakeview Avenue.

Discussion was held regarding the possibility of installing more stop signs on Lakeview to slow traffic down as well as possibly on Center Street.

3. AUDIENCE TO BE HEARD

James Crux commented on the Lakeview traffic count and asked for the City to do another study when the winter residents are in town with Mr. Carrino indicating that could be done. He stated that best practice says they shouldn't be done too often. It was suggested that another study be done around the end of January or first of February.

Mr. Crux indicated that discussion was previously held regarding placing a four-way stop on Fahnstock with Mayor Holland responding they would have to get back to him on that.

4. CONSENT AGENDA

4.1 Resolution Number 23-101: JAG D Grant Gas Masks

4.2 Resolution Number 23-102: JAG C Grant Gas Masks

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

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

5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

5.1 Resolution Number 23-103: Refuse Collection Rate Increase

Sasha Garcia, City Attorney, announced Resolution Number 23-103: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, authorizing adjustment to City of Eustis rates for the solid waste collection services, to provide for the annual adjustment of the Garbage and Trash Rate Index provided by the U.S. Bureau of Labor for Waste Management, Inc. of Florida to be effective January 1, 2024.

Mike Sheppard, Finance Director, explained the new rates would be effective January 1, 2024; however, the first bill to the residents with the new rate would go out February 1st. He noted that the contract with Waste Management for garbage collection would expire in 2024. He stated the City will be going out to bid the first part of 2024 for that service. He then reviewed

the proposed rate increase of bringing the total bill to \$19.02 per month for a single-family home. He noted the City is fourth lowest in the County for their garbage rate.

The Commission discussed how responsive Waste Management is to calls for service and how they have maintained their rates when other companies were increasing their fees due to increased fuel costs.

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

Motion made by Commissioner Hawkins, Seconded by Commissioner Cobb, to approve Resolution Number 23-103. The motion passed on the following vote:

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

6. OTHER BUSINESS

6.1 Discussion to reconsider the change in the Pelfrey Storage Property, located at 115 W. Woodward Avenue from General Industrial (GI) to General Commercial (GC) or to discuss other alternatives

Mr. Carrino explained that at the Commission's request staff placed the item on the agenda for the Commission to discuss whether or not they are willing to rehear the applicant's request to change their property's land use designation. He reviewed the Commission's Rules of Order pertaining to rehearing a previous agenda item. He then discussed other options. He said one option would be for the property to stay General Industrial and the Commission could consider conditional uses or the property could be changed to Mixed Commercial Industrial which would still allow other uses as well as light industrial. He stated a third option would be for the Commission to approve the original request to change the land use designation from General Industrial to General Commercial.

Mr. Carrino explained that different categories allow different uses. He indicated that the question would be what are the desired uses for the property and what would be the best category to accommodate the desired uses. He stated that it would require three Commissioners to place the item back on the agenda for consideration. He noted the other two options could be brought back as those would be sufficiently different to allow them to be brought forward as a new consideration.

Commissioner Cobb reported she spoke with Sarah Pelfrey after the last meeting. She stated that the issue could have been resolved if the use was considered vocational education with a CUP. She indicated that the property is more valuable as General Industrial and emphasized that the City does not have a lot of General Industrial property. She expressed support for working with Ms. Pelfrey to see what uses she would like to have and for the City to either adjust its permitted uses or put them under a Conditional Use Permit. She noted she also spoke with Dennis Almand and explained the situation would cause his property to be nonconforming. She noted that once they switch from General Industrial there would be no going back.

Commissioners Ashcraft and Hawkins commented on how the land use designation would create too many nonconformancies and the limited amount of General Industrial property.

Vice Mayor Lee expressed opposition to changing the land use designation due to the lack of existing GI in the City.

Mayor Holland summarized that the Commission is not in favor of changing the land use would be amenable to staff working with Ms. Pelfrey to determine what could be permitted uses.

Mr. Carrino noted that if they change the permitted uses it would change the permitted uses on all GI property not just that property.

Sarah Pelfrey thanked the Commission and commented on the need for flexibility.

7. FUTURE AGENDA ITEMS AND COMMENTS

7.1 City Commission

Commissioner Cobb asked to have a water/sewer/ infrastructure workshop after the first of the year. She commented on the need to look at that in light of future growth to the east and cited the properties outside of the City obtaining City services. She noted that someone approached her regarding the Pine Meadows development. She stated that a meter was placed on the hydrant and the developer apparently removed the meter with Greg Dobbins, Deputy Director Public Utilities, informing the Commission that the meter had been stolen. He indicated they have since provided them with a portable meter that can't be stolen. He assured her that the developer had promptly notified them about the theft.

Commissioner Cobb asked Police Chief Craig Capri about an email that was received from a resident.

Chief Capri noted that it was an anonymous email about the number of officers that responded to a DUI investigation. He explained that the department has a number of young officers that are still in training which increases the number of officers on a scene. He noted that the department takes DUI calls very seriously due to the danger to the community. He encouraged people with issues to call him if they have a problem and he will provide an answer. He emphasized the department is very transparent.

Discussion was held regarding people sending anonymous emails.

Commissioner Cobb asked if he had an update on the amount of code enforcement fines with Chief Capri responding that they have collected \$438,240 with approximately \$5 million still outstanding.

Discussion was held regarding whether or not the department can make phone calls to individuals with outstanding fines. Attorney Garcia indicated she had sent an email regarding that issue.

The Commission complimented Chief Capri on his personnel's behavior and professionalism. He commented on how well the Commission and departments work together.

Commissioner Ashcraft asked for how they are moving forward with the Eustis Junior Panthers since the Parks and Recreation Director resigned.

Mr. Carrino noted that Rachel Amman is serving as the Interim Director. He explained he has met with Coach Saunders regarding an upcoming event and indicated they are moving forward with some of the smaller items he requested. He indicated they cannot just put a roof on the existing racquetball courts. He stated it would be easier to just demolish the existing facility and then rebuild. He suggested they could possibly combine a concession stand, press box and storage. He indicated staff is continuing to work with Coach Saunders. He noted that staff is working with him to hold an event at one of the City's facilities.

Commissioner Hawkins asked Ms. Amman to keep up communications with Coach Saunders. He commented on the change in leadership in Parks and Recreation. He noted that the director left without getting any accrued leave time or comp. time. He asked that they consider paying him his accrued vacation. He stated that he had 167 accrued hours. He asked to have a discussion about paying him his accrued vacation hours.

Mr. Carrino explained that the former director was with the City for less than three years so he would not be eligible for his accrued sick time as City policy is that you must be with the City for at least three years. He indicated as a department head and salaried employee he would not be eligible for comp. time. He stated that in order to be eligible for vacation payouts an employee must leave in good standing and it was his determination that he did not leave in good standing. He concluded that he directed Finance and Human Resources to not pay the vacation time.

Commissioner Hawkins expressed concern regarding the resignation and asked if an investigation was performed. He expressed support for paying the accrued vacation.

Discussion was held regarding the proposed payout with Commissioner Hawkins stating his belief that the director was in good standing when he accrued the vacation hours so they should be paid.

Discussion was held regarding whether or not they could hold a closed session to discuss the matter with Attorney Garcia indicating she would need to look at the City's Charter and the details of the matter. She commented that it is a personnel issue and she needs to look at whether or not the Commission can weigh in on the matter.

Discussion was held regarding when a meeting could be held if appropriate. It was proposed to hold a meeting on November 21st at 4:30 or 5:00 p.m. if the City Attorney deems it appropriate.

Mr. Carrino stated he would provide related information to Ms. Garcia to review.

Vice Mayor Lee asked to get an update on the cemetery project. She commented on the need for a facility for the Bezos Academy Montessori school that would be rent free. She expressed concern about the academic success of students in the local elementary schools. She noted the City is spending money for basketball and football but needs to do something for education. She asked for the rest of the Commission to help her find an available space for the school. She also asked if CRA funds could be utilized. She noted they need 3,500 to 4,000 square feet and emphasized she only has two weeks to find a space.

Ms. Pelfrey noted that her child also went to a Montessori school and expressed support for the program.

7.2 City Manager

Mr. Carrino reminded the Commission that the two December meetings were combined into one to be held on December 14th.

7.3 City Attorney

Attorney Garcia reported she re-sent her email regarding code enforcement to Chief Capri and Commissioner Cobb and wished everyone Happy Thanksgiving.

7.4 Mayor

Mayor Holland thanked Miranda Muir and the Events team for their excellent work on the Veteran's Day event. He cited the various activities and complimented all of the City staff

involved. He noted the upcoming Light Up Eustis event and wished everyone a Happy Thanksgiving.

8. ADJOURNMENT: 6:53 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 Workshop: Master Plan

4:30 PM – Thursday, November 16, 2023 – City Hall

CALL TO ORDER: 4:32 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

1. WORKSHOP ITEM WITH DISCUSSION, PUBLIC INPUT AND DIRECTION

1.1 Presentation by MIG, the Master Plan Consultant

Tom Carrino, City Manager, introduced Jay Renkens and Blair Guppy with MIG. He explained they would provide a presentation regarding the initial findings. He stated they want to engage with the Commission and hear their impressions. He noted they would not open the workshop to public comment but at some point would adjourn the workshop and then the public can go out and look at the display in the hallway and engage with the consultants one on one. He explained that staff can only record in the Commission Room; therefore, they will have to adjourn and then go out to the hallway.

Blair Guppy explained the framework plan to provide a blueprint for how they will look at the downtown as a whole as well as the Waterman site. He noted the number of stakeholders they have already spoken with and provided an overview of the area to be included in the master plan. He also reviewed the timeline for community input and development of the plan. He indicated they would begin looking at the Waterman site on their next visit and by the spring of 2024 reveal a draft plan for the Waterman site. He noted feedback they have received both online and by mail. He added they have also had one on one meetings and commented on their community listening meeting. He noted the wide variety of involved people and specifically cited the importance of the lake and the waterfront. He cited the history of the City as an agricultural area and various aspects of the area. He suggested the concept of the City as a regional base camp and development as the "best family-friendly waterfront downtown in Lake County and the region."

Mr. Guppy provided an overview of the existing waterfront noting its assets and opportunities. He commented on some ideas provided regarding the waterfront. He suggested extending the waterfront walk and how that could benefit the downtown and create a waterfront destination. He cited the possibility of utilizing the railway corridor to connect the downtown to the larger region and create a railway promenade. He discussed the use of public/private partnerships and expanding the use of the community building. He suggested creating a pavilion at the other end of the waterfront promenade to act as another anchor for the area. Other suggestions included activities such as a public market, artisans and art markets. He cited the goal of encouraging more people to come to the downtown area. He noted how each street has a distinct terminus at the waterfront and provided examples of what has been done in other communities. He cited the ongoing improvements to both Bay and Grove and the need for more pedestrians. He indicated they had visited with students at the high school that afternoon and noted that people don't walk or bicycle but they scooter. He stated the

youth had said they would like to come downtown just to grab snack food. He emphasized the need to insure the safety of pedestrians and cyclists in the downtown area.

Mr. Guppy noted they have been looking beyond just the downtown area and cited the natural assets the City has that can be used to attract people to the downtown area. He then commented on the need to connect the waterfront to the neighborhoods. He stated that McDonald and Bates are key streets to connecting the waterfront and downtown to the eastern neighborhoods. He cited a number of existing assets on those streets and suggested the need to expand the existing downtown character. He cited a number of ways to provide more interconnectivity. He listed existing inventories and potentials as follows: event/recreation /cultural, hotel, multi-family housing, professional office spaces, and retail/restaurant spaces. He added that the youth were very interested in events but were unaware of what is already offered.

Mr. Guppy emphasized their intention of obtaining public input during this visit. He provided a QR code that individuals could scan to participate and provide online feedback. He cited the need for everyone to view the displays and provide them with input.

Commissioner Ashcraft asked how people can get to the website with Mr. Guppy explaining they are working with City staff to distribute information at the City's events.

Jay Renkens indicated the flyer has the information on how to provide input. He noted their visit with the high school students that day. He added they would continue to reach out to youth as well as others.

The Commission asked to have the information sent out in the water bills with Mr. Carrino indicating that would be done.

Commissioner Ashcraft asked about them reaching out through social media with Mr. Renkens indicating they would work with the City's communication staff to get the information out on the City's existing sites.

Commissioner Hawkins suggested enlisting the student government at the high school with Mayor Holland indicating they met with a group that day through the Key Club sponsor. He commented on how well the students participated. He noted the principal was also in the meeting.

The Commission asked if there would be more community input sessions with Mr. Renkens indicating they probably would have more in February or March. Mr. Guppy commented on them participating in more of the City's First Friday events. He noted that the students indicated they attend those and do volunteer at them as well.

Commissioner Ashcraft asked if they are able to tell where the comments are coming from with Mr. Rankin indicating that the first meeting included location.

Commissioner Hawkins commented on the need of trying to insure that everyone has the opportunity to comment and noting that not everyone is online. It was suggested that they encourage participation by the Chamber of Commerce. It was noted that Georgefest was coming up and could be utilized.

Mr. Renkens indicated the need to use different venues such as Georgefest as meetings tend to attract the same people each time.

Vice Mayor Lee asked about the possibility of shortening the timeline with Mr. Renkens indicating they are shooting for April and stating that he did not see the ability of getting it done sooner.

Commissioner Cobb suggested for people to come to the next meeting with ideas for what they want not what they don't want.

Mr. Renkens commented on how they are trying to obtain more positive feedback to determine what people want.

Commissioner Cobb noted the need to have positive meetings, not negative. She also commented on the need for the trails to help with connectivity and how that will benefit the City.

Mayor Holland reminded the audience to go out to the hallway to view the display and provide comments to the consultants.

2. ADJOURNMENT: 5:11 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: DECEMBER 14, 2023
 RE: ORGANIZATIONAL AND EVENT SUPPORT GRANT TO LAKE CARES

Introduction

The purpose of this presentation is to reimburse Lake Cares, Inc. for a previously awarded grant from the City of Eustis in the amount of \$3,750.

Recommended Action

Staff is requesting authorization to reimburse Lake Cares, Inc. for previously approved grant expenses.

Background

The City Commission approved Organizational and Event Grants, including \$3,750 for Lake Cares, Inc., on March 6, 2023. The organization has completed the requirements of the grant, and they have presented the city with their Audited Financial Statements from Day & Day, P.A., for grant related expenses through December 31, 2022.

To verify the expenditures, Exhibit B was used and subtracted the payroll and depreciation to arrive at a net expenditure of \$2,515,639 in allowable costs.

Lake Cares provided the unduplicated and All Visits which were compared to Eustis.

Unduplicated Eustis was 1,278 divided by 11,904 = 10.74%
 All Eustis Visits was 6,991 divided by 68,127 = 10.26%

The percentage was applied and since 1/4th of the year was within the boundaries of the Organizational Grant, another 25% was used, which under each scenario yielded expenditures of \$67,519 and \$64,537 respectively. Both are in excess of the \$3,750 being contributed to Lake Cares by the City of Eustis.

Exhibit A – Lake Cares Audited Financials Report as of 12-31-2022

Exhibit B – Lake Cares Statement of Functional Expenses as of 12-31-2022

Prepared By: Mike Sheppard, Finance Director

**EXHIBIT A
THIRTEEN PAGES**

LAKE CARES, INC.

FINANCIAL STATEMENTS AND
INDEPENDENT AUDITORS' REPORT

DECEMBER 31, 2022

Independent Auditors' Report	1-2
Statement of Financial Position	3
Statement of Activities	4
Statement of Functional Expenses	5
Statement of Cash Flows	6
Notes to Financial Statements	7-12

DAY & DAY, P.A.

Certified Public Accountants

Member

American Institute of Certified Public Accountants

Florida Institute of Certified Public Accountants

2801 S.W. COLLEGE ROAD
SUITE #13
OCALA, FLORIDA 34474

(352) 237-6161

INDEPENDENT AUDITOR'S REPORT

To the Board of Directors
of Lake Cares, Inc.

Opinion

We have audited the accompanying financial statements of Lake Cares, Inc. (a nonprofit organization), which comprise the statement of financial position as of December 31, 2022, and the related statements of activities and cash flows for the year then ended, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Lake Cares, Inc. as of December 31, 2022, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Lake Cares, Inc. and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Lake Cares, Inc.'s ability to continue as a going concern within one year after the date that the financial statements are available to be issued.

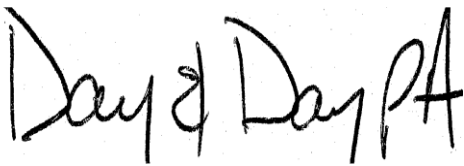
Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks, such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Lake Cares, Inc.'s internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Lake Cares, Inc.'s ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.



July 18, 2023

Ocala, Florida

LAKE CARES, INC.
STATEMENT OF FINANCIAL POSITION
December 31, 2022

Assets

Current Assets

Cash and cash equivalents	\$ 1,636,404
Accounts receivable	552
Capital campaign pledges	40,895
Inventory	<u>118,292</u>

Total Current Assets 1,796,143

Property and equipment, net

506,441

Long-Term Assets

Operating lease right-of-use asset	21,435
Interest in beneficial trust	59,944
Other assets	<u>4,070</u>

Total Long-Term Assets 85,449

TOTAL ASSETS \$ 2,388,033

Liabilities and Net Assets

Current Liabilities

Credit cards	\$ 10,850
Accrued expenses	7,081
Payroll taxes	1,344
Current portion of lease liabilities	<u>23,620</u>

TOTAL CURRENT LIABILITIES 42,895

Net Assets

Without donor restrictions:	
Net investment in property and equipment	506,441
Undesignated	<u>1,656,157</u>
Total without donor restrictions	2,162,598
With donor restrictions	<u>182,540</u>

TOTAL NET ASSETS 2,345,138

TOTAL LIABILITIES AND NET ASSETS \$ 2,388,033

Read accompanying notes

LAKE CARES, INC.
STATEMENT OF ACTIVITIES
For the year ended December 31, 2022

SUPPORT AND REVENUES	<u>Without Donor Restrictions</u>	<u>With Donor Restrictions</u>	<u>Total</u>
Donations	\$ 681,066	\$ 182,540	\$ 863,606
Direct public grants	184,075		184,075
Special events (net of \$18,466 of expenses)	36,115		36,115
Contributions of nonfinancial assets	1,932,598		1,932,598
Rental income	5,303		5,303
Gain on disposal of assets	24,335		24,335
Other income	11,692		11,692
Net assets released from restriction			
Total Support and Revenues	<u>2,875,184</u>	<u>182,540</u>	<u>3,057,724</u>
 EXPENSES			
Program services	2,617,197		2,617,197
Management & general	155,726		155,726
Fundraising	105,030		105,030
Total Expenses	<u>2,877,953</u>		<u>2,877,953</u>
 Change in Net Assets	 {2,769}	 182,540	 179,771
Net Assets, Beginning of Year	<u>2,165,367</u>		<u>2,165,367</u>
Net Assets, End of Year	<u>\$ 2,162,598</u>	<u>\$ 182,540</u>	<u>\$ 2,345,138</u>

Read accompanying notes

LAKE CARES, INC.
STATEMENT OF FUNCTIONAL EXPENSES
For the year ended December 31, 2022

FUNCTIONAL EXPENSES	SUPPORTING SERVICES			TOTAL
	PROGRAM SERVICES	MANAGEMENT &GENERAL	FUNDRAISING	
Personnel Services				
Wages	\$ 117,375	\$ 113,198	\$ 74,459	\$ 305,032
Payroll taxes	9,219	8,884	5,845	23,948
Advertising	1,067	-	3,200	4,267
Community outreach	-	-	2,064	2,064
Computers and software	-	12,498	-	12,498
Donor and volunteer recognition	2,174	-	477	2,651
Food distribution	2,286,357	-	-	2,286,357
Insurance	14,851	4,950	-	19,801
Lease expense	17,116	-	-	17,116
Miscellaneous	15,385	563	16,594	32,542
Occupancy	28,863	-	-	28,863
Office and postage	29,278	2,383	2,383	34,044
Personal items for clients	13,712	-	-	13,712
Printing	101	-	8	109
Professional fees	2,089	13,250	-	15,339
Repairs and maintenance	34,993	-	-	34,993
Telecommunications	1,045	-	-	1,045
Transportation/travel	10,238	-	-	10,238
TOTAL FUNCTIONAL EXPENSES BEFORE DEPRECIATION	2,583,863	155,726	105,030	2,844,619
Depreciation	33,334	-	-	33,334
TOTAL FUNCTIONAL EXPENSES	\$ 2,617,197	\$ 155,726	\$ 105,030	\$ 2,877,953

Read accompanying notes

LAKE CARES, INC.
STATEMENT OF CASH FLOWS
For the year ended December 31, 2022

CASH FLOWS FROM OPERATING ACTIVITIES	
Increase in net assets	\$ 179,771
Adjustments to reconcile change in net assets to cash provided by operating activities:	
Depreciation	33,334
Gain on asset disposal	(24,335)
(Increase) decrease in operating assets	
Accounts receivable	13,820
Capital campaign pledges	(40,895)
Inventory	69,978
Increase (decrease) in operating liabilities	
Credit Cards	3,013
Accrued expenses	(4,645)
Payroll taxes payable	(16,827)
Operating lease liabilities	<u>2,185</u>
NET CASH PROVIDED BY OPERATING ACTIVITIES	<u>215,399</u>
CASH FLOWS FROM INVESTING ACTIVITIES	
Purchase of investments	(16,469)
Cash received on sale of fixed assets	752,928
Purchase of fixed assets	<u>(98,899)</u>
NET CASH PROVIDED BY OPERATING ACTIVITIES	<u>637,560</u>
NET INCREASE IN CASH AND CASH EQUIVALENTS	852,959
BEGINNING CASH AND CASH EQUIVALENTS	<u>783,445</u>
ENDING CASH AND CASH EQUIVALENTS	<u>\$ 1,636,404</u>

Read accompanying notes

NOTES TO FINANCIAL STATEMENTS
LAKE CARE, INC.
DECEMBER 31, 2022

Item 3.1

Note 1 - Summary of Significant Accounting Policies

Reporting Entity

Lake Cares, Inc. (the Organization) is a Florida nonprofit corporation chartered in 2009. Its purpose is to serve as a strategic resource to support the need of hungry families in Mount Dora, Florida and surrounding communities. Lake Cares, Inc.'s goal is to feed the body, educate the mind and lift the spirit of all individuals.

Financial Statement Presentation

The financial statements of the organization have been prepared on the accrual basis of accounting in conformity with generally accepted accounting principles. The net assets of the organization and changes therein are classified and reported as follows:

- Net assets without donor restrictions - Net assets that are not subject to donor-imposed restrictions and may be expended for any purpose in performing the primary objectives of the Organization. These net assets may be used at the discretion of Lake Cares, Inc.'s management and the board of directors.
- Net assets with donor restrictions - Net assets subject to stipulations imposed by donors and granters. Some donor restrictions are temporary in nature; those restrictions will be met by actions of the Organization or by passage of time. Other restrictions are perpetual by nature, whereby the donor has stipulated the funds be maintained in perpetuity.
- Donor restricted contributions are reported as increases in net assets with donor restrictions. When a restriction expires, net assets are reclassified from net assets with donor restrictions to net assets without donor restrictions in the statement of activities.

Revenue and Revenue Recognition

Support received from governmental and private sources are recognized as support when performance occurs pursuant to the contract agreement.

Gifts of cash and other assets received with donor stipulations that limit the use of the donated assets are reported as a donor-restricted contribution. When a restriction ends, or the purpose of the restriction is accomplished, donor-restricted net assets are reclassified to net assets without donor restrictions and are reported as net assets released from restrictions. Donor-restricted contributions whose restrictions are met within the same reporting period are reported as contributions without donor restrictions in that period.

Recognition of Donor Restricted Contributions

Unconditional contributions are recognized as revenue when pledged and recorded as net assets without donor restrictions or net assets with donor restrictions, depending on the existence and/or nature of any donor-imposed restrictions. Conditional promises to give are recognized when the conditions on which they depend are substantially met. Gifts of cash and other assets are reported with donor restricted support if they are received with donor stipulations that limit the use of the donated assets. When a restriction expires, that is, when a stipulated time restriction or a purpose restriction is accomplished, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported on the statement of activities as net assets released from restrictions.

NOTES TO FINANCIAL STATEMENTS
LAKE CARE, INC.
DECEMBER 31, 2022

Donated Services and In-Kind Contributions

Volunteers contribute significant amounts of time to the Organization's program services, administration and fundraising and development activities; however, the financial statements do not reflect the value of these contributed services because they do not meet recognition criteria prescribed by generally accepted accounting principles. Contributed goods are recorded at \$1.79 per pound according to the Feeding America study. The value of donated food is \$1,932,598 for the year ended December 31, 2022. Inventories of food supplies are carried at the lower of cost or fair market value.

The Organization does not sell any donated products, and only distributes goods for program use.

Cash and Cash Equivalents

The organization considers cash in banks, cash on hand, and other highly liquid investments with an original maturity of three months or less to be cash and cash equivalents.

Accounts Receivable

Accounts receivable consists of contracts receivable. All receivables are expected to be received within one year. As of December 31, 2022, management believes that all accounts receivable are collectible. Therefore, no allowance for doubtful accounts is recorded in the accompanying financial statements for these receivables.

Pledged Capital Contributions

The organization has received pledges to build a new building. Allowance for doubtful pledges has been recorded at 11%.

Inventory

Food inventory is carried at the lower of cost or market, using the first-in first-out method.

Expense Allocation

Expenses are allocated to each program or activity based on direct expenditures incurred. Any expenditure not directly chargeable is allocated based on management's decision on a basis consistent with prior years. The expenses that are allocated include the following:

<u>Expense</u>	<u>Method of Allocation</u>
Telephone	Time and effort
Utilities	Time and effort
Vehicles expense	Time and effort

Income Taxes

The Organization is exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code and from state income taxes under similar provisions of the Florida laws. The organization has been classified as an organization that is not a private foundation under Section 509(a)(2) of the Internal Revenue Code and donors may deduct contributions as provided in Section 170 of the Code.

It is the policy of management to evaluate its tax positions on an ongoing basis and to disclose any such positions it believes would have a material impact on the financial statements and related notes. Management believes that no such required disclosures exist.

NOTES TO FINANCIAL STATEMENTS
LAKE CARE, .INC.
DECEMBER 31, 2022

Item 3.1

The Organization is no longer subject to U.S. federal or state income tax examinations by tax authorities for years before 2019. The Organization would recognize interest accrued related to unrecognized tax benefits in interest expense and penalties, if any, in operating expenses.

Right-of-Use Assets and Lease Liabilities

Lease liabilities are initially measured at the present value of minimum lease payments using a risk-free rate that approximates the remaining term of the lease. The right-of-use (ROU) asset is the lease liability adjusted for other lease-related accounts. Management considered the likelihood of exercising renewal or termination clauses (if any) in measuring the Organization's ROU assets and lease liabilities. Operating lease expense and finance lease amortization expense is allocated over the remaining lease term on a straight-line basis. Finance lease interest expense is calculated using a risk-free rate that approximates the remaining term of the lease multiplied by the outstanding finance lease liability.

The Organization considers leases with initial terms of twelve months or less, and no option to purchase the underlying asset, to be short-term leases. Accordingly, short-term lease costs are expensed over the remaining lease term, with no corresponding right-of-use asset or lease liability.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

Property and Equipment

It is the Organization's policy to capitalize property and equipment over \$2,000. Lessor amounts are expensed. Property and equipment is stated at cost or, if donated, at estimated fair market value at the date of donation. Depreciation is computed using the straight-line method over the estimated useful lives of 5-7 years for furniture and equipment and 10-39 years for buildings and improvements.

Investments

Investments in marketable securities with readily determinable fair values and all investments in debt securities are reported at their fair values in the statement of financial position. Unrealized gains and losses are included in the change in net assets. Investment income is reported as an increase in unrestricted net assets.

Fair Value of Financial Instruments

The carrying value of cash and cash equivalents and investments are shown at fair value.

Subsequent Events

Lake Cares, Inc. has evaluated subsequent events and transactions for potential recognition or disclosure in the financial statements through July 18, 2023, the date the financial statements were available to be issued.

Adoption of Accounting Standards Updates

The Organization adopted Accounting Standards Update (ASU) No. 2020-07, *Presentation and Disclosure by Not-for-Profit Entities for Contributed Nonfinancial Assets*, which increases the transparency of contributed nonfinancial assets for not-for-profit entities through enhancements to presentation and disclosure. The adoption of the standard did not change the recognition and measurement requirements for contributed nonfinancial assets.

NOTES TO FINANCIAL STATEMENTS
LAKE CARE, INC.
DECEMBER 31, 2022

The Organization also adopted Accounting Standards Update (ASU) No. 2016-02, *Leases*, which requires lessees to recognize leases on the statement of financial position and disclose key information about leasing arrangements. The Organization elected not to reassess at adoption (i) expired or existing contracts to determine whether they are or contain a lease, (ii) the lease classification of any existing leases, or (iii) initial direct costs for existing leases. As a result of implementing ASU No. 2016 02, Lake Cares, Inc. recognized an ROU asset and a lease liability of \$38,552. The adoption did not result in a significant effect on amounts reported in the statement of activities for the year ended December 31, 2022.

Note 2 - Fixed Assets and Depreciation

Property and equipment consist of the following at December 31, 2022:

Buildings	\$	126,342
Equipment, furniture and vehicles		143,485
Land		<u>309,150</u>
		578,977
Less: accumulated depreciation		<u>(72,536)</u>
	\$	<u>506,441</u>

Depreciation expense for the year ended December 31, 2022 was \$33,334.

Note 3 - Interest in Beneficial Trust

The amount reported in the statement of financial position as interest in beneficial trust represents the net cumulative transfers and earnings by the Organization the Mount Dora Community Trust. The amount totals \$59,944 as of December 31, 2022. The Mount Dora Community Trust holds and invests the funds on behalf of Lake Cares, Inc. in an endowment fund for the benefit of the Organization. Funds are invested in mutual funds and bonds. Funds are to be distributed to Lake Cares, Inc. at their request.

Note 4 - Leases

As disclosed in Note 1, the Organization has adopted the provisions of Financial Accounting Standards Codification Section 842, Leases (FASB ASC 842) to reflect its investment in right-of-use assets (ROU) and the corresponding lease liability.

Lake Cares, Inc. is leasing warehouse space. The lease is for 18 months (May 1, 2022 through October 1, 2023). Cash paid for the lease for the year ended December 31, 2022 was \$16,000.

The ROU asset and lease liability were calculated at the net present value of the guaranteed lease payments over the term of the lease using a discount rate of 5%.

**NOTES TO FINANCIAL STATEMENTS
LAKE CARE, INC.
DECEMBER 31, 2022**

Note 4 - Leases (continued)

The following represents the future minimum lease payments:

Payments required in 2023	\$	24,200
Less: imputed interest		(580)
Present value of liability	\$	23,620
		=====

Note 5 - Liquidity and Availability of Resources

The Organization's financial assets available within one year of the statement of financial position date to meet cash needs for general expenditures as of December 31, 2022 are as follows:

As part of the Organization's liquidity management, it has a policy to structure its financial assets to be available as its general expenditures, liabilities, and other obligations come due. In addition, the Organization invests cash in excess of daily requirements in short-term investments.

Note 6 - Concentration of Credit Risk

Financial instruments, which potentially subject the Organization to credit risk, consist of cash deposits in financial institutions and accounts receivable. At December 31, 2022, uninsured deposits amounted to \$757,559.

Cash and cash equivalents	\$	1,636,404
Accounts receivable		552
Total financial assets		1,636,956
Less donor restricted net assets		(182,540)
Financial assets available to meet expenditures	\$	1,454,416
		=====

Note 7-Volunteers

Lake Cares, Inc. relies upon volunteers to help achieve its purpose of collecting and distributing food. For the year ended December 31, 2022, 21,122 hours were contributed by 2,891 active volunteers.

Note 8 - Board-Designated Net Assets

The Board has designated \$43,374 of net assets to be used for future repairs and maintenance.

**NOTES TO FINANCIAL STATEMENTS
LAKE CARE, INC.
DECEMBER 31, 2022**

Item 3.1

Note 9 - Supplemental Cash Flow Information

The Organization paid the following amounts for interest and income taxes for the year ended December 31, 2022:

Interest	\$ _____
Income Taxes	\$ _____

EXHIBIT B
LAKE CARES, INC.
STATEMENT OF FUNCTIONAL EXPENSES
 For the year ended December 31, 2022

FUNCTIONAL EXPENSES	SUPPORTING SERVICES			TOTAL
	PROGRAM SERVICES	MANAGEMENT & GENERAL	FUNDRAISING	
Personnel Services				
Wages	\$ 117,375	\$ 113,198	\$ 74,459	\$ 305,032
Payroll taxes	9,219	8,884	5,845	23,948
Advertising	1,067	-	3,200	4,267
Community outreach		-	2,064	2,064
Computers and software	-	12,498	-	12,498
Donor and volunteer recognition	2,174	-	477	2,651
Food distribution	2,286,357	-	-	2,286,357
Insurance	14,851	4,950	-	19,801
Lease expense	17,116	-	-	17,116
Miscellaneous	15,385	563	16,594	32,542
Occupancy	28,863	-	-	28,863
Office and postage	29,278	2,383	2,383	34,044
Personal items for clients	13,712	-	-	13,712
Printing	101	-	8	109
Professional fees	2,089	13,250	-	15,339
Repairs and maintenance	34,993	-	-	34,993
Telecommunications	1,045	-	-	1,045
Transportation/travel	10,238	-	-	10,238
TOTAL FUNCTIONAL EXPENSES BEFORE DEPRECIATION	2,583,863	155,726	105,030	2,844,619
Depreciation	33,334	-	-	33,334
TOTAL FUNCTIONAL EXPENSES	\$ 2,617,197	\$ 155,726	\$ 105,030	\$ 2,877,953

Read accompanying notes

Total Expenses \$2,877,953 Less Payroll not allowed \$328,980 Less Depreciation \$33,334 = \$2,515,639 x .1026 = 258,148 x .25 = \$64,537; and at 10.74% the amount = \$67,519, which both exceeds the Donation awarded.

All Client visits 68,127 Eustis Client visits 6,991 = 10.26% Unduplicated Clients 11,904 Eustis Unduplicated Clients 1,278 = 10.74%



City of Eustis

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

TO: EUSTIS CITY COMMISSION
 FROM: TOM CARRINO, CITY MANAGER
 DATE: DECEMBER 14, 2023
 RE: ORGANIZATIONAL AND EVENT SUPPORT GRANT TO BAY STREET PLAYERS SUPPORT TO EUSTIS

Introduction

The purpose of this presentation is to reimburse Bay Street Player, Inc. for a previously awarded grant from the City of Eustis in the amount of \$3,500.

Recommended Action

Staff is requesting authorization to reimburse Bay Street Players, Inc. for previously approved grant expenses.

Background

The City Commission approved Organizational and Event Grants, including \$3,500 for Bay Street Players, Inc., on March 6, 2023. The organization has completed the requirements of the grant, and they have presented the city with their Financial Statements, for grant related expenses through August 31, 2023.

The expenditures in Exhibit B 1 of 2 had expenses excluding depreciation of \$208,590.33 for a total expense of \$370,719.55. Salaries and wages were subtracted in the amount of \$101,348.64 to arrive at a net expenditure of \$269,370.91 allowable cost.

The percentage of 91.66% for the year was accepted for the Organizational Grant, netting expenses of \$246,905.37 which were allowed. The accounting firm preparing the report is Greenlee, Kurras, Rice and Brown, PA. (see attachment Exhibit C which represents bills paid which exceeded the amount of the Grant).

Bay Street Player provided the following involvement in the City of Eustis community. This provided business opportunities to enhance their profits by bringing many to the downtown area to enjoy shopping and restaurants before and after the plays presented.

Eustis residents: brought to the downtown area 5,000
 Total visitors: brought to the downtown area 17,000

Exhibit A – Bay Street Players Balance Sheet 8-31-2023

Exhibit B – Bay Street Players Profit and Loss as of Sept. 2022 Thru Aug. 2023

Exhibit C – Duke Energy Bills C-1, C-2, C-3 and C-4; Totaling \$6,978.09

Prepared By: Mike Sheppard, Finance Director

Exhibit A

Item 3.2

Bay Street Players, Inc.

Balance Sheet

As of August 31, 2023

	SEP 2022	OCT 2022	NOV 2022	DEC 2022	JAN 2023	FEB 2023	MAR 2023	APR 2023	MAY 2023	JUN 2023	JUL 2023	AUG 2023
ASSETS												
Current Assets												
Bank Accounts												
Authorize Net Bank Account (deleted)			-1,113.00	-1,113.00	-1,113.00	-1,113.00	0.00	0.00	0.00	0.00	0.00	0.00
BOA Operating					99.21	37,568.22	16,258.29	28,571.70	13,316.03	21,115.40	15,336.01	6,288.32
BOA Operating Restricted Funds									0.00	411.00	50.00	0.00
Total BOA Operating					99.21	37,568.22	16,258.29	28,571.70	13,316.03	21,526.40	15,386.01	6,288.32
BOA Tax					100.00	100.00	100.00	100.00	100.00	100.00	100.00	100.00
BOA- Scholarship Funds					100.00	100.00	100.00	100.00	100.01	100.08	100.16	100.25
Rachel Rose Morgan Memorial Scholarship									2,861.00	2,861.00	3,209.00	1,209.00
YPT- Ed Dawkins Memorial Scholarship Fund											193.00	193.00
Total BOA- Scholarship Funds					100.00	100.00	100.00	100.00	2,961.01	2,961.08	3,502.16	1,502.25
Cash	87.00	87.00	-151.55	-151.55	-151.55	-151.55	-151.55	-151.55	-151.55	-151.55	-151.55	-151.55
Center Card Expense Account									5,000.00	4,079.31	4,074.53	2,932.36
Operating- USB x1980	64,820.85	72,987.38	65,232.75	55,171.95	43,170.10	5,131.08	14,351.50	16,494.36	14,203.91	10,510.94	8,191.86	6,377.03
Other USB x293	508.64	508.64	508.64	508.64	508.64	508.64	508.64	508.64	508.64	508.64	508.64	508.64
Total Bank Accounts	\$65,416.49	\$73,583.02	\$64,476.84	\$54,416.04	\$42,713.40	\$42,143.39	\$31,166.88	\$45,623.15	\$35,938.04	\$39,534.82	\$31,611.65	\$17,557.05
Total Current Assets	\$65,416.49	\$73,583.02	\$64,476.84	\$54,416.04	\$42,713.40	\$42,143.39	\$31,166.88	\$45,623.15	\$35,938.04	\$39,534.82	\$31,611.65	\$17,557.05
Fixed Assets												
Building												
Depreciation												-42,500.00
Total Building												0.00
Fixed Asset- Other Tools/Equipment												
Basis	16,393.00	16,393.00	16,393.00	16,393.00	16,393.00	16,393.00	16,393.00	16,393.00	16,393.00	16,393.00	16,393.00	16,393.00
Depreciation	-13,355.00	-13,355.00	-13,355.00	-13,355.00	-13,355.00	-13,355.00	-13,355.00	-13,355.00	-13,355.00	-13,355.00	-13,355.00	-14,773.00
Total Fixed Asset- Other Tools/Equipment	3,038.00	3,038.00	3,038.00	3,038.00	3,038.00	3,038.00	3,038.00	3,038.00	3,038.00	3,038.00	3,038.00	1,620.00
Furniture & Fixtures												
Basis	98,885.00	98,885.00	98,885.00	98,885.00	98,885.00	98,885.00	98,885.00	98,885.00	98,885.00	98,885.00	98,885.00	98,885.00
Depreciation	-97,640.00	-97,640.00	-97,640.00	-97,640.00	-97,640.00	-97,640.00	-97,640.00	-97,640.00	-97,640.00	-97,640.00	-97,640.00	-98,885.00
Total Furniture & Fixtures	1,245.00	1,245.00	1,245.00	1,245.00	1,245.00	1,245.00	1,245.00	1,245.00	1,245.00	1,245.00	1,245.00	0.00
Improvements												
Basis	183,319.00	183,319.00	183,319.00	183,319.00	183,319.00	183,319.00	183,319.00	183,319.00	183,319.00	183,319.00	183,319.00	183,319.00
Depreciation	-142,584.00	-142,584.00	-142,584.00	-142,584.00	-142,584.00	-142,584.00	-142,584.00	-142,584.00	-142,584.00	-142,584.00	-142,584.00	-167,387.00
Total Improvements	40,735.00	40,735.00	40,735.00	40,735.00	40,735.00	40,735.00	40,735.00	40,735.00	40,735.00	40,735.00	40,735.00	15,932.00
Intangible Assets												
Website												
Amortization	-3,225.00	-3,225.00	-3,225.00	-3,225.00	-3,225.00	-3,225.00	-3,225.00	-3,225.00	-3,225.00	-3,225.00	-3,225.00	-7,294.00
Original cost	7,294.00	7,294.00	7,294.00	7,294.00	7,294.00	7,294.00	7,294.00	7,294.00	7,294.00	7,294.00	7,294.00	7,294.00
Total Website	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	0.00
Total Intangible Assets	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	4,069.00	0.00
Land												
												7,500.00
Total Fixed Assets	\$49,087.00	\$49,087.00	\$49,087.00	\$49,087.00	\$49,087.00	\$49,087.00	\$49,087.00	\$49,087.00	\$49,087.00	\$49,087.00	\$49,087.00	\$25,052.00
TOTAL ASSETS	\$114,503.49	\$122,670.02	\$113,563.84	\$103,503.04	\$91,800.40	\$91,230.39	\$80,253.88	\$94,710.15	\$85,025.04	\$88,621.82	\$80,698.65	\$42,609.05

Exhibit A

Bay Street Players, Inc.

Balance Sheet

As of August 31, 2023

	SEP 2022	OCT 2022	NOV 2022	DEC 2022	JAN 2023	FEB 2023	MAR 2023	APR 2023	MAY 2023	JUN 2023	JUL 2023	AUG 2023
LIABILITIES AND EQUITY												
Liabilities												
Current Liabilities												
Credit Cards												
BOA CC - x0364	-600.02	-600.04	-544.35	-1,230.89	0.00	0.00	0.00	0.00	0.00	14,203.03	14,648.60	14,726.84
BOA CC- x1194	-4,723.32	-4,723.32	-4,723.32	-4,723.32	1,631.38	2,714.57	3,495.09	3,688.50	4,165.37	195.00	227.00	0.00
BOA CC- x3929								244.38	839.25	0.00	0.00	0.00
BOA CC- x5191			500.00	500.00	44.41	1,066.99	9,198.92	9,089.74	9,869.98	0.00	0.00	0.00
Lowe's CC	588.29	387.89	690.15	950.74	1,052.17	1,335.71	1,549.01	2,273.05	2,626.45	2,548.91	3,646.48	3,913.80
Total Credit Cards	\$ -4,735.05	\$ -4,935.47	\$ -4,077.52	\$ -4,503.47	\$2,727.96	\$5,117.27	\$14,243.02	\$15,295.67	\$17,501.05	\$16,946.94	\$18,522.08	\$18,640.64
Other Current Liabilities												
Payroll Liabilities												
Federal Taxes (941/943/944)											1,101.97	3,752.68
Federal Unemployment (940)											20.29	73.04
FL Unemployment Tax											182.72	657.43
Total Payroll Liabilities											1,304.98	4,483.15
Total Other Current Liabilities	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,304.98	\$4,483.15
Total Current Liabilities	\$ -4,735.05	\$ -4,935.47	\$ -4,077.52	\$ -4,503.47	\$2,727.96	\$5,117.27	\$14,243.02	\$15,295.67	\$17,501.05	\$16,946.94	\$19,827.06	\$23,123.79
Long-Term Liabilities												
USB Mortgage- 50293	76,724.21	76,521.75	76,521.75	75,608.19	75,000.81	75,000.81	75,000.81	75,000.81	74,755.12	74,325.34	74,325.34	74,113.52
Total Long-Term Liabilities	\$76,724.21	\$76,521.75	\$76,521.75	\$75,608.19	\$75,000.81	\$75,000.81	\$75,000.81	\$75,000.81	\$74,755.12	\$74,325.34	\$74,325.34	\$74,113.52
Total Liabilities	\$71,989.16	\$71,586.28	\$72,444.23	\$71,104.72	\$77,728.77	\$80,118.08	\$89,243.83	\$90,296.48	\$92,256.17	\$91,272.28	\$94,152.40	\$97,237.31
Equity												
Opening balance equity	51,271.13	51,271.13	51,271.13	51,271.13	52,638.12	52,609.12	53,722.12	53,722.12	53,722.12	53,722.12	53,722.12	0.00
Retained Earnings	-14,306.42	-14,306.42	-14,306.42	-14,306.42	-14,306.42	-14,306.42	-14,306.42	-14,306.42	-14,306.42	-14,306.42	-14,306.42	23,915.70
Net Income	5,549.62	14,119.03	4,154.90	-4,566.39	-24,260.07	-27,190.39	-48,405.65	-35,002.03	-46,646.83	-42,066.16	-52,869.45	-78,543.96
Total Equity	\$42,514.33	\$51,083.74	\$41,119.61	\$32,398.32	\$14,071.63	\$11,112.31	\$ -8,989.95	\$4,413.67	\$ -7,231.13	\$ -2,650.46	\$ -13,453.75	\$ -54,628.26
TOTAL LIABILITIES AND EQUITY	\$114,503.49	\$122,670.02	\$113,563.84	\$103,503.04	\$91,800.40	\$91,230.39	\$80,253.88	\$94,710.15	\$85,025.04	\$88,621.82	\$80,698.65	\$42,609.05

Bay Street Players, Inc.
Profit and Loss
September 2022 - August 2023

	SEP 2022	OCT 2022	NOV 2022	DEC 2022	JAN 2023	FEB 2023	MAR 2023	APR 2023	MAY 2023	JUN 2023	JUL 2023	AUG 2023	TOTAL
Income													
Contributed income													\$0.00
Circle Donations													\$0.00
\$300 - \$499 Patron Circle					300.00			300.00		600.00		300.00	\$1,500.00
\$500 - \$999 Director's Circle											500.00		\$500.00
Total Circle Donations					300.00			300.00		600.00	500.00	300.00	\$2,000.00
Donations directed by individuals	2,509.07		695.14	530.00	167.48	134.26	10.00	1,205.00	3,017.77	321.00	664.90	1,022.00	\$10,276.62
Foundation & other nonprofit grants	1,040.00	3,950.00		1,050.00	5,315.33	1,300.42	6,606.00	2,788.84	728.00	563.18	115.00	1,766.48	\$25,223.25
Program Service Revenue	32.08		98.94	185.64		176.81	112.10	88.02		15,870.00			\$16,563.59
Advertising	300.00											60.00	\$360.00
Concessions	1,590.00	950.00		3,163.00		1,377.00	427.45	1,543.21		4,037.57	66.12	1,778.07	\$14,932.42
Raffles	1,385.59	607.00		1,765.00		857.00	193.00	590.00		1,132.28			\$6,529.87
Season Multi-Pass Tickets											20.00	360.00	\$380.00
Ticket Revenue	30,207.75	25,107.75	22,670.07	11,264.00	13,888.75	10,104.25	18,716.25	24,066.55	19,946.25	16,994.00	11,015.00	5,566.25	\$209,546.87
YPT Tuition				691.00	477.00			50.00	6,848.25	3,808.00	2,985.75	6,582.50	\$21,442.50
Total Program Service Revenue	33,515.42	26,664.75	22,769.01	17,068.64	14,365.75	12,515.06	19,448.80	26,337.78	26,794.50	41,841.85	14,086.87	14,346.82	\$269,755.25
Total Contributed income	37,064.49	30,614.75	23,464.15	18,648.64	20,148.56	13,949.74	26,064.80	30,631.62	30,540.27	43,326.03	15,366.77	17,435.30	\$307,255.12
Total Income	\$37,064.49	\$30,614.75	\$23,464.15	\$18,648.64	\$20,148.56	\$13,949.74	\$26,064.80	\$30,631.62	\$30,540.27	\$43,326.03	\$15,366.77	\$17,435.30	\$307,255.12
Cost of Goods Sold													
Program Service Expenses													\$0.00
Cast Meals	1,574.44			459.25		65.02	93.15	133.51	346.01	129.30	31.29		\$2,831.97
Catering			500.00	550.00		510.00	2,464.00					750.00	\$4,774.00
Contract/1099 fees- Actors, Directors, services	6,200.00	5,110.00	3,600.00	550.00	5,250.00	350.00	6,326.30	780.00	7,700.00	3,080.00	827.33	8,765.00	\$48,538.63
Digital Tracks & Music											757.73		\$757.73
Merchant account fees- ticketing	1,949.94	1,856.66	2,613.67	871.21	735.53	1,326.25	905.01	1,949.84	1,606.59	2,865.49	1,760.28	1,048.09	\$19,488.56
Misc. Production Expenses- dry cleaning, shoe repair						42.80	151.62		79.14		67.20		\$340.76
Printing	203.94	185.00	17.50	45.00		310.72	179.98	55.00		1,104.01			\$2,101.15
Posters										567.00			\$567.00
Programs	883.38	703.65		487.35	86.85	481.45	509.94		647.95				\$3,800.57
Season brochures											2,200.00		\$2,200.00
Shirts	252.00		229.00	220.00		154.00	226.00					1,097.00	\$2,178.00
Total Printing	1,339.32	888.65	246.50	752.35	86.85	946.17	915.92	55.00	647.95	1,671.01	2,200.00	1,097.00	\$10,846.72
Purchases	1,523.73	267.53	1,229.71	686.21	290.29	483.68	615.77	73.68	92.06				\$5,262.66
Concessions	389.78	812.98	204.42	911.10	17.44	923.36		1,473.90	608.80	955.68		963.62	\$7,261.08
Costumes/wigs/makeup	1,566.54	-637.90	658.01	352.14	712.34	15.81	1,437.31	773.53	878.86	366.30	792.61	74.95	\$6,990.50
House purchases- sound & lighting	1,877.50	1,828.08	835.63	502.17	1,821.01		500.00	1,009.86	1,744.08	137.18		49.00	\$10,304.51
Props & set dressing	177.30	235.56	663.34	140.31	313.68		22.74	35.05	107.16	1,211.41	72.09	70.72	\$3,049.36
Set construction	266.43	489.64	498.46	301.57	911.26	283.54	288.02	792.72	1,062.96	269.33	1,487.66	477.91	\$7,129.50
Total Purchases	5,801.28	2,995.89	4,089.57	2,893.50	4,066.02	1,706.39	2,863.84	4,158.74	4,493.92	2,939.90	2,352.36	1,636.20	\$39,997.61
Rental (Venue)						674.60	-321.50						\$353.10
Royalties Paid	1,334.00	-300.00	3,597.14	9,028.50	222.95		8,540.00		-325.00	5,622.84		-75.00	\$27,645.43
Scripts/Postage/Shipping					26.97	610.56	95.60	29.95			291.01		\$1,054.09
Split Ticket Expense										4,078.00			\$4,078.00
Talent Travel	200.00	118.96				347.98							\$666.94
Volunteer appreciation					142.49			339.78	143.00			130.41	\$755.68
Total Program Service Expenses	18,398.98	10,670.16	14,646.88	15,104.81	10,530.81	6,579.77	22,033.94	7,446.82	14,691.61	20,386.54	8,287.20	13,351.70	\$162,129.22
Total Cost of Goods Sold	\$18,398.98	\$10,670.16	\$14,646.88	\$15,104.81	\$10,530.81	\$6,579.77	\$22,033.94	\$7,446.82	\$14,691.61	\$20,386.54	\$8,287.20	\$13,351.70	\$162,129.22
GROSS PROFIT	\$18,665.51	\$19,944.59	\$8,817.27	\$3,543.83	\$9,617.75	\$7,369.97	\$4,030.86	\$23,184.80	\$15,848.66	\$22,939.49	\$7,079.57	\$4,083.60	\$145,125.90
Expenses													
Awards & grants to others (Scholarships)	175.00											400.00	\$575.00
Charitable contributions											1,165.00		\$1,165.00

Bay Street Players, Inc.
Profit and Loss
September 2022 - August 2023

	SEP 2022	OCT 2022	NOV 2022	DEC 2022	JAN 2023	FEB 2023	MAR 2023	APR 2023	MAY 2023	JUN 2023	JUL 2023	AUG 2023	TOTAL
Melio Service Fees									17.73	24.80	1.50		\$44.03
Operations/Administrative													\$0.00
Insurance	1,213.74	1,106.74	1,660.62	1,106.74									\$5,087.84
Property insurance					1,106.74		2,900.48		4,959.33	4,342.71	2,465.41	3,102.93	\$18,877.60
Umbrella & General Liability					1,406.16								\$1,406.16
Workers comp	73.32	73.32	73.32	73.32	260.63	100.63	100.63	100.63	3,650.22		-115.23	346.48	\$4,737.27
Total Insurance	1,287.06	1,180.06	1,733.94	1,180.06	2,773.53	100.63	3,001.11	100.63	8,609.55	4,342.71	2,350.18	3,449.41	\$30,108.87
Interest paid	10.05		2.69	10.21	1.71		132.86	279.63	286.36		313.60	343.84	\$1,380.95
Interest Paid- Loan USB x50293	306.18	306.18		612.36	918.54		519.61	494.18	801.51	587.50		296.82	\$4,842.88
Total Interest paid	316.23	306.18	2.69	622.57	920.25		652.47	773.81	1,087.87	587.50	313.60	640.66	\$6,223.83
Occupancy													\$0.00
Cleaning	233.82	31.25	160.31		240.08	76.99	128.69	49.95	49.45	403.68	191.25	19.53	\$1,585.00
Licenses & inspections									300.00	500.00			\$800.00
Repairs & maintenance	1,083.00	48.34	93.97	115.76			12,000.00			136.47	1,616.56		\$15,094.10
Storage rent			2,250.00										\$2,250.00
Utilities	2,716.61	967.34	1,327.13	1,424.60	1,432.24	1,701.45	1,076.53	1,532.20	1,517.01	2,070.12	2,712.80	1,679.34	\$20,157.37
Total Occupancy	4,033.43	1,046.93	3,831.41	1,540.36	1,672.32	1,778.44	13,205.22	1,582.15	1,866.46	3,110.27	4,520.61	1,698.87	\$39,886.47
Office expenses		727.07				338.79		51.00	137.04		250.17	36.17	\$1,540.24
Bank fees & service charges		12.00	41.76	939.52	42.31	82.11	6.00	51.16	211.28	344.89	13.73		\$1,744.76
Dues- memberships & subscriptions					325.00								\$325.00
Equipment lease & maintenance	462.02	462.02		959.78	876.85	462.02	462.02	462.02	497.76	462.02	924.04	995.52	\$7,026.07
Office operations- technology, software/apps			24.00		310.19	195.00	195.00	195.00	1,690.37	195.00	227.00		\$3,031.56
Office supplies	103.38	369.96	247.45	36.77	75.93	134.84	263.81	492.99	386.75	1,502.69	439.83		\$4,054.40
Printing & photocopying		79.12	39.56			39.56	118.68	39.56	59.56	357.85	175.06	131.11	\$1,040.06
Total Office expenses	565.40	1,650.17	352.77	1,936.07	1,630.28	1,252.32	1,045.51	1,291.73	2,982.76	2,862.45	2,029.83	1,162.80	\$18,762.09
Payroll expenses	58.00	58.00	58.00	-116.00	58.00	240.50	58.00	58.00	3,112.53			-588.50	\$2,996.53
Payroll Taxes Paid					6,277.08				4,103.58				\$10,380.66
Salaries & wages	4,826.31	6,696.30	11,995.67	7,102.06	8,353.29	6,062.40	6,417.81	4,108.86	4,746.99	6,565.16			\$66,874.85
Total Payroll expenses	4,884.31	6,754.30	12,053.67	6,986.06	14,688.37	6,302.90	6,475.81	4,166.86	11,963.10	6,565.16		-588.50	\$80,252.04
Professional													\$0.00
Accounting fees	1,476.00	816.00	816.00		1,081.00	866.00	866.00	1,866.00	966.00	866.00	900.00	450.00	\$10,969.00
Total Professional	1,476.00	816.00	816.00		1,081.00	866.00	866.00	1,866.00	966.00	866.00	900.00	450.00	\$10,969.00
Total Operations/Administrative	12,562.43	11,753.64	18,790.48	12,265.12	22,765.75	10,300.29	25,246.12	9,781.18	27,475.74	18,334.09	10,114.22	6,813.24	\$186,202.30
Payroll Expenses													\$0.00
Taxes											657.76	1,520.01	\$2,177.77
Wages											5,944.46	12,974.37	\$18,918.83
Total Payroll Expenses											6,602.22	14,494.38	\$21,096.60
Unapplied Cash Bill Payment Expenditure	378.46	-378.46									0.00	-492.60	\$ -492.60
Total Expenses	\$13,115.89	\$11,375.18	\$18,790.48	\$12,265.12	\$22,765.75	\$10,300.29	\$25,246.12	\$9,781.18	\$27,493.47	\$18,358.89	\$17,882.94	\$21,215.02	\$208,590.33
NET OPERATING INCOME	\$5,549.62	\$8,569.41	\$ -9,973.21	\$ -8,721.29	\$ -13,148.00	\$ -2,930.32	\$ -21,215.26	\$13,403.62	\$ -11,644.81	\$4,580.60	\$ -10,803.37	\$ -17,131.42	\$ -63,464.43
Other Income													\$0.00
Credit card rewards			9.08		-25.40								\$ -16.32
Interest Earned									0.01	0.07	0.08	0.54	\$0.70
Total Other Income	\$0.00	\$0.00	\$9.08	\$0.00	\$ -25.40	\$0.00	\$0.00	\$0.00	\$0.01	\$0.07	\$0.08	\$0.54	\$ -15.62
Other Expenses													\$0.00
Depreciation												8,535.00	\$8,535.00
Reconciliation Discrepancies					6,520.28							8.63	\$6,528.91
Total Other Expenses	\$0.00	\$0.00	\$0.00	\$0.00	\$6,520.28	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$8,543.63	\$15,063.91
NET OTHER INCOME	\$0.00	\$0.00	\$9.08	\$0.00	\$ -6,545.68	\$0.00	\$0.00	\$0.00	\$0.01	\$0.07	\$0.08	\$ -8,543.09	\$ -15,079.53
NET INCOME	\$5,549.62	\$8,569.41	\$ -9,964.13	\$ -8,721.29	\$ -19,693.68	\$ -2,930.32	\$ -21,215.26	\$13,403.62	\$ -11,644.80	\$4,580.67	\$ -10,803.29	\$ -25,674.51	\$ -78,543.96



duke-energy.com
877.372.8477

Your Energy Bill

Page 1 of 5

Service address
BAY STREET PLAYERS INC
109 N BAY ST
EUSTIS FL 32726

Bill date Jul 6, 2023
For service Jun 3 - Jul 3
31 days

Account number 9100 8213 1346

Billing summary

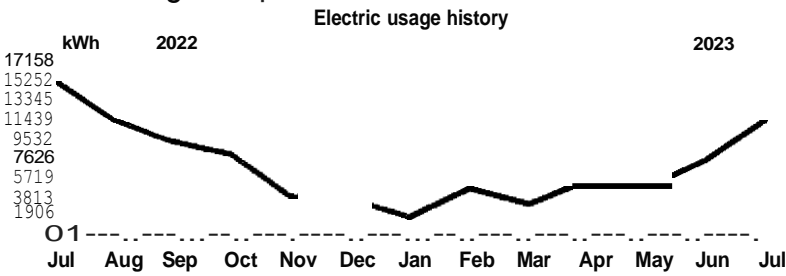
Previous Amount Due	\$1,343.61
Payment Received Jun 27	-1,343.61
Current Electric Charges	1,476.83
Products and Services	19.95
Deposit	-31.88
Taxes	370.36
Total Amount Due Jul 27	\$1,835.26



Thank you for your payment.

To help us repair malfunctioning streetlights, quickly: 1. Visit duke-energy.com/lightrepair. 2. Provide us with the light's location and your contact information. 3. Specific addresses, landmarks and directions work best.

Your usage snapshot



Average temperature in degrees

	83°	82°	79°	72°	69°	61°	62°	67°	70°	74°	76°	79°	83°
	Current Month			Jul 2022	12-Month Usage			Avg Monthly Usage					
Electric (kWh)	11,027			15,252	72,309			6,026					
Avg. Daily (kWh)	356			462	199								

12-month usage based on most recent history

Mallyour payment at least 7 days before the due date or pay instantly at duke-energy.com/billing. Late payments are subject to a \$5.00 or 1.5%, late charge, whichever is greater.

Please return this portion with your payment. Thank you for your business.



Duke Energy Return Mail
PO Box 1090
Charlotte, NC 28201-1090

Account number
9100 8213 1346

\$1,835.26
by Jul 27

After Jul 27, the amount due will increase to \$1,840.26.

\$ _____ \$ _____
Add here, to help others with a **Amount enclosed** contribution to Share the Light

BAY STREET PLAYERS INC
PO BOX 1405
EUSTIS FL 32727-1405

Duke Energy Payment Processing
PO Box 1094
Charlotte, NC 28201-1094



Your Energy Bill

Service address BAY STREET PLJWERS INC
109 N BAY ST
EUSTIS FL 32726

Bill date Aug 4, 2023
For service Jul 4 - Aug 2
30 days

Account number 9100 8213 1346

Billing summary

Previous Amount Due	\$1,835.26
<i>Payment Received Jul 24</i>	-1,835.26
Current Electric Charges	1,294.42
Products and Services	19.95
Taxes	321.92
Total Amount Due Aug 25	\$1,636.29

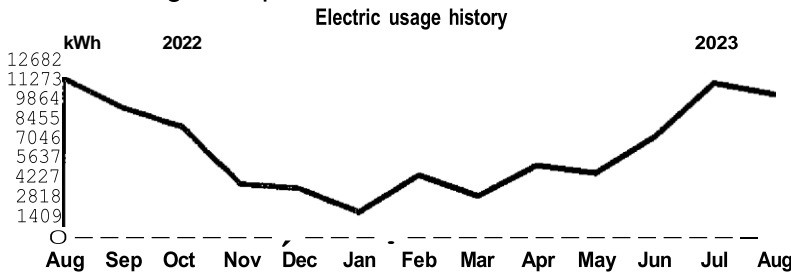


Thank you for your payment.

Duke Energy Florida utilized fuel in the following proportions to generate your power: Coal 8%, Purchased Power 9.1%, Gas 78.7%, Oil 0.1%, Nuclear 0%, Solar 4.1% (For prior 12 months ending June 30, 2023).

To help us repair malfunctioning streetlights, quickly: 1. Visit duke-energy.com/lightrepair2. Provide us with the light's location and your contact information. 3. Specific addresses, landmarks and directions work best.

Your usage snapshot



Average temperature in degrees

82°	79°	72°	69°	61°	62°	67°	70°	74°	76°	79°	82°	81°
Current Month		Aug 2022	12-Month Usage		Avg Monthly Usage							
Electric (kWh)		10,243	11,273	71,278		5,940						
Avg. Daily (kWh)		341	389	196								

12-month usage based on most recent history

Mail your payment at least 7 days before the due date or pay instantly at duke-energy.com/billing. Late payments are subject to a \$5.00 or 1.5%, late charge, whichever is greater.

Please return this portion with your payment. Thank you for your business.



Duke Energy Return Mail
PO Box 1090
Charlotte, NC 282011090

Account number
9100 8213 1346

\$1,636.29
by Aug 25

After Aug 25, the amount due will increase to \$1,641.29.

\$ _____ \$ _____
Add here, to help others with a **Amount enclosed**
contribution to Share the Light

BAY STREET PLAYERS INC
PO BOX 1405
EUSTIS FL 32727-1405

Duke Energy Payment Processing
PO Box 1094
Charlotte, NC 28201-1094

eI, DUKE ENERGY®
 duke-energy.com
 877372.8477

Your Energy 8HI

Page 1 of

Bill date Sep 6, 2023
For service Aug 3 - Sep 2
 31 days

Service address
 BAY STREET PLAYERS INC
 109 N BAY ST
 EUSTIS FL 32726

Account number 9100 8213 1346

Billing summary

Previous Amount <i>Due</i>	\$1,636;29
<i>Payment Received Aug 25.</i>	-1,636;29
C1.1rrant Electric Charges	1,411.41
Products and Services	19.95
Taxes	.351;22
Total Amount Due Sep 27	\$1,783.18



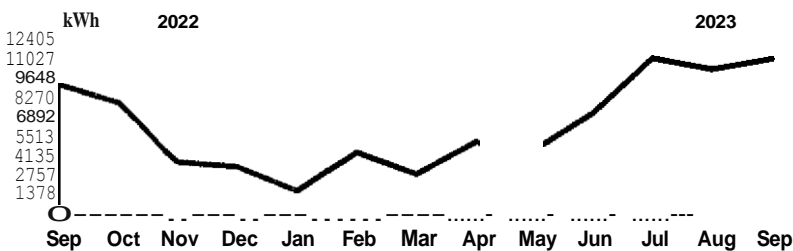
Thank you for your payment.

Know what's below. Call before you dig. Always call 811 before you dig, it's the law. Making this free call at least two full working days before you dig gets utility lines marked and helps protect you from injury and expense. Call 811 or visit call811.com.

To help us repair malfunctioning streetlights, quickly: 1. Visit duke-energy.com/lightrepair 2. Provide us with the light's location and your contact information. 3. Specific addresses, landmarks and directions work best.

Vom usage snapshot

Electric usage history



Average temperature in degrees

	79°	72°	69°	61°	62°	67°	70°	74°	76°	79°	82°	83°	81°
	Current Month				Sep 2022				12-Month Usage				Avg Monthly Usage
Electric (kWh)	10,982				9,178				73,082				6,090
Avg. Daily (kWh)	354				306				200				

12-month usage based on most recent history

Mail your payment at least 7 days before the due date or pay instantly at duke-energy.com/billing. Late payments are subject to a \$5.00 or 1.5%, late charge, whichever is greater.

Please return this portion with your payment. Thank you for your business.

eI, DUKE ENERGY®

Account number
9100 8213 1346

\$1,783.18
 by Sep 27

After Sep 27, the amount due will increase to \$1,788.18.

Duke Energy Return Mail
 PO Box 1090
 Charlotte, NC 28201-1090

\$ _____ \$ _____
 Add here, to help others with a contribution to Share the Light **Amount enclosed**

BAY STREET PLAYERS INC
 PO BOX 1405
 EUSTIS FL 32727-1405

Duke Energy Payment Processing
 PO Box 1094
 Charlotte, NC 28201-1094



Your Energy Bill

Service address
BAY STREET PLAYERS INC
109 N BAY ST
EUSTIS FL 32726

Bill date Oct 5, 2023
For seNice Sep 3 - Oct 3
31 days

Account number **9100 8213 1346**

Billing summary

Previous Amount Due	\$1,783.18
Payment Received Oct 02	-1,783.18
Current Electric Charges	1,361.86
Products and Services	19.95
Taxes	.341,54
Total Amount Due Oct 26	\$1,723.35

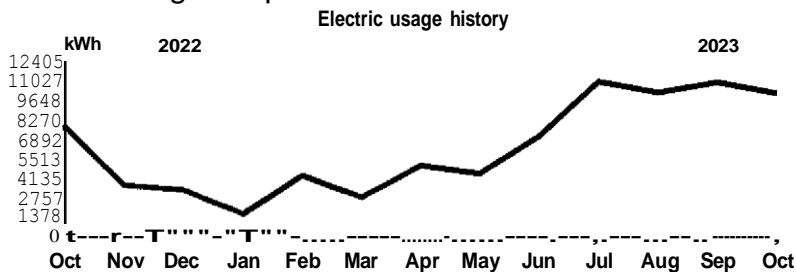


Thank you for your payment.

Learn how to lower your bill with an online or free on-site Business Energy Check. This no-cost analysis provides you with specific tips on how to save energy and qualify for valuable rebates for energy-savings measures. You may also qualify for a FREE Commercial Energy Savings Kit. Go to duke-energy.com/FreeBizCheck or email prescriptiveincentives@duke-energy.com.

To help us repair malfunctioning streetlights, quickly: 1. Visit duke-energy.com/lightrepair 2. Provide us with the lights location and your contact information. 3. Specific addresses, landmarks and directions work best.

Your usage snapshot



Average temperature in degrees

	72°	69°	61°	62°	67°	70°	74°	76°	79°	82°	83°	79°	77°
	Current Month	Oct 2022	12-Month Usage	Avg Monthly Usage									
Electric (kWh)	10,188	7,868	75,403	6,284									
Avg. Daily (kWh)	329	246	207										

12-month usage based on most recent history

Mail your payment at least 7 days before the due date or pay instantly at duke-energy.com/billing. Late payments are subject to a \$5.00 or 1.5%, late charge, whichever is greater.

Please return this portion with your payment. Thank you for your business.



Duke Energy Return Mail
PO Box 1090
Charlotte, NC 28201-1090

Account number
9100 8213 1346

\$1,723.35
by Oct 26

After Oct 26, the amount due will increase to \$1,728.35.

\$ _____ \$ _____
Add here, to help others with a contribution to Share the Light **Amount enclosed**

BAY STREET PLAYERS INC
PO BOX 1405
EUSTIS FL 32727-1405

Duke Energy Payment Processing
PO Box 1094
Charlotte, NC 28201-1094



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: DECEMBER 14, 2023

RE: RESOLUTION NUMBER 23-44: RESCINDING OF FINE/RELEASE OF LIEN 415 JENNIFER LANE, CODE ENFORCEMENT CASE 11-249

Introduction:

Resolution Number 23-44 approves a Code Enforcement Order rescinding code enforcement fines imposed, totaling \$1,012,500, against 415 Jennifer Lane, and releases the lien recorded against the property.

Recommended Action:

The administration recommends approval of Resolution Number 23-44.

Code Board Action:

On March 13, 2023, the Code Enforcement Board approved a recommendation from Craig Capri, Chief of Police, to rescind all accrued fines imposed against 415 Jennifer Lane after informing them that he was successful in persuading the property owner to bring the property into compliance by removing a noncompliant fence.

Case History:

On October 10, 2011, the Building Department reported to Code Enforcement that a six-foot solid fence had been installed on the property without a permit, and that it was located in the front yard, in violation of the City's Land Development Regulations.

On October 28, 2011, the Code Department notified the property owner in writing of the violation and requested a response by November 7, 2011 to discuss needed corrective actions in order to bring the fence into compliance with City Code. The owner did not respond.

On November 18, 2011, a Notice of Violation was issued requiring the fence be reduced to four feet and a permit be obtained by January 2, 2012, or the Case would go before the Code Enforcement Board on January 9, 2012. The Notice was received by Joan Giampietro, property owner, on December 3, 2011.

On January 9, 2012, the Eustis Code Enforcement Board issued an Order of Enforcement requiring compliance by February 8, 2012, or a fine of \$250 per day of non-compliance would be imposed. The property owner did not attend the Hearing.

On January 11, 2012, a copy of the Order was mailed to the property, but there was no response.

On February 10, 2012, the property failed inspection and a Code Enforcement Board Hearing was scheduled for March 12, 2012. The Hearing ended up being cancelled because there were not enough Board members present for a quorum. The property owner did however show up for the Hearing making it possible for the Inspector to speak with her about the fence violation and the actions that needed to be taken to achieve compliance.

On March 15, 2012, an Inspector met the property owner onsite to determine how much of the solid six-foot fence encroached into the “front or street setback yard.” During the meeting, it was determined that three of the five sections of fence needed to be reduced to four feet in order to comply with the City’s Land Development Regulations.

On March 21, 2012, the property owner emailed the Inspector informing him that she had decided not to take any of the fence down because it provides protection from her neighbor.

On April 18, 2012, after many efforts by the Inspector to obtain compliance, the property owner was notified that the Hearing to establish non-compliance with the Board’s Order had been rescheduled for May 14, 2012.

On May 14, 2012, the Inspector recommended that the Code Enforcement Board impose a reduced daily fine of \$15. The property owner was present and remained defiant during the Hearing, resulting in the Board imposing the full fine of \$250 per day.

On May 21, 2012, the property owner was notified in writing of the Board’s action, but recording of the Board Order would be delayed for 30 days to give her one last opportunity to correct the violation and obtain a passed inspection by June 20, 2012.

On June 22, 2012, the property failed inspection and the Order Imposing Fine/Lien was recorded in public record on July 5, 2012.

Alternatives:

1. Approve Resolution Number 23-44.
2. Deny Resolution Number 23-44.

Community Input

No adjacent property owners attended the Code Enforcement Hearings and there were no citizen complaints received.

Budget / Staff Impact:

If the Resolution is approved, the City would not receive any portion of daily fines that accrued from February 9, 2012 to March 13, 2023.

Reviewed By:

Kenneth Toler, Captain

Prepared By:

Eric Martin, Code Enforcement Supervisor

Attachments

- Resolution Number 23-44

RESOLUTION NUMBER 23-44

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; RESCINDING ACCRUED CODE ENFORCEMENT FINES AND PROVIDING FOR A RELEASE OF LIEN RECORDED AGAINST A 415 JENNIFER LANE

WHEREAS, the City of Eustis, Florida established code enforcement fines against the following described property under Case No. 11-249 against Joan C. Giampietro and James V. Rogers, property owners, for failing to comply with City Ordinances:

EUSTIS, CENTURY OAKS ESTATES THIRD ADD THAT PART OF LOT 8 DESC AS FOLLOWS: BEGIN AT SE COR OF LOT 8, RUN S 89DEG 20MIN 50SEC W 40.34 FT, N 00DEG 39MIN 06SEC W 100.75 FT TO N LINE OF LOT 8, N 89DEG 53MIN 56SEC E 18.81 FT TO BEGINNING OF A CURVE CONCAVE SW'LY & HAVING A RADIUS OF 25 FT, THENCE RUN E'LY & S'LY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 91DEG 54MIN 41SEC 40.10 FT TO END OF SAID CURVE, S 01DEG 48MIN 37SEC W ALONG E LINE OF LOT 8 A DIST OF 74.57 FT TO POB PB 27 PG 87 ORB 3175 PG 2260 ORB 3299 PG 2255; and

WHEREAS, the City of Eustis, Florida, a Florida municipal Corporation, recorded a Code Enforcement Lien against the subject property on July 5, 2012, in Official Record Book 4182, Pages 1487-1488, in the office of the Clerk of the Circuit Court, Lake County, State of Florida; and

WHEREAS, on March 13, 2023, the Code Enforcement Board was informed that the property is now in compliance and recommended that the City Commission rescind the accrued fines.

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

That the code enforcement fines associated with Code Violation Case #11-249 are hereby rescinded and the City Clerk is authorized to execute a Release of Lien for the code enforcement lien recorded against the following described property:

EUSTIS, CENTURY OAKS ESTATES THIRD ADD THAT PART OF LOT 8 DESC AS FOLLOWS: BEGIN AT SE COR OF LOT 8, RUN S 89DEG 20MIN 50SEC W 40.34 FT, N 00DEG 39MIN 06SEC W 100.75 FT TO N LINE OF LOT 8, N 89DEG 53MIN 56SEC E 18.81 FT TO BEGINNING OF A CURVE CONCAVE SW'LY & HAVING A RADIUS OF 25 FT, THENCE RUN E'LY & S'LY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 91DEG 54MIN 41SEC 40.10 FT TO END OF SAID CURVE, S 01DEG 48MIN 37SEC W ALONG E LINE OF LOT 8 A DIST OF 74.57 FT TO POB PB 27 PG 87 ORB 3175 PG 2260 ORB 3299 PG 2255

DONE AND RESOLVED this 14th day of December 2023, in regular session of the City Commission of the City of Eustis, Florida.

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

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 14th day of December 2023, by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-44 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: December 14, 2023

RE: Resolution Number 23-106: Approving a purchase in excess of \$50,000 for the lease of various holiday decorations

Introduction:

Resolution Number 23-106 approves the lease of various holiday decorations and lighting from Holiday Outdoor Décor in the amount of \$72,935.50, pursuant to their quote dated November 3, 2023.

Background:

It has been a long-time tradition for the City of Eustis to install holiday lighting and other decorations in the downtown area and also in Ferran Park. In recent years, the City has found it more efficient as well as cost effective to lease these decorations and have them installed by the vendor.

The City purchasing ordinance requires that all purchases in excess of \$50,000 must be approved by the City Commission; therefore, this lease is being submitted for consideration by the Commission. This item is being piggybacked off an agreement the vendor has with the City of St. Petersburg; therefore, additional quotes were not required.

Recommended Action:

Staff recommends approval of Resolution Number 23-106.

Budget/Staff Impact:

The Fiscal Year 23/24 approved budget provides adequate funding for the requested lease.

Prepared By:

Mary Montez, Deputy Clerk

Reviewed By:

Tom Carrino, City Manager

RESOLUTION NUMBER 23-106

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AUTHORIZING AN EXPENDITURE IN EXCESS OF \$50,000 FOR THE LEASE OF VARIOUS HOLIDAY LIGHTING AND OTHER DECORATIONS FOR THE DOWNTOWN AREA AND FERRAN PARK.

WHEREAS, the it has been a long-time tradition for the City of Eustis to have put up holiday lights and other decorations in the downtown area and within Ferran Park; and

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

WHEREAS, the City's Fiscal Year 2023/2024 approved budget includes adequate funding for the lease of these holiday decorations; and

WHEREAS, the City has for several years piggybacked off the City of St. Petersburg's holiday decoration agreement with Holiday Outdoor Decor; and

WHEREAS, in order to have the holiday decorations put up in a timely manner, the City of Eustis must proceed with implementation of the lease agreement as soon as possible;

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

- (1) That the City Commission hereby approves the lease with Holiday Outdoor Décor in the amount of \$72,935.50 pursuant to their quote dated November 3, 2023; and
- (2) That the City Manager is authorized to execute all agreements necessary to provide said products with the above vendor.

DONE AND RESOLVED, this 14th day of December 2023, 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



TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: December 14, 2023

RE: RESOLUTION NUMBER 23-108: AUTHORIZING THE RECORDING OF LIENS ON DELINQUENT UTILITY ACCOUNTS

Introduction:

On September 7, 2017, the Commission adopted Resolution Number 17-10, which approved implementing property liens for qualifying delinquent utility accounts. The purpose of recording a lien is twofold:

- 1) To recover the City's water, wastewater, and/or irrigation services cost.
- 2) To follow Florida Statutes. F.S. 159.17 *Lien of Service Charges* requires any city issuing revenue bonds to have property liens on utility systems.
The City issued Water and Sewer Series 2016 Revenue Bonds.

Staff identified accounts over 90 days delinquent. With proper notice provided, the City discontinued utility services upon failure of the property owner to pay for water, wastewater, irrigation, and/or garbage services. The City has exhausted all collection options. With the Commission's approval, liens will be applied to the below listed delinquent accounts.

Recommended Action:

Staff recommends approval of Resolution Number 23-108 authorizing the recording of liens for the properties listed see Exhibit A.

Background:

The City provides various utility services to properties throughout the City, including water, wastewater, irrigation, reclaimed water, and garbage services. To follow Florida Statutes and provide prudent measures to recoup utility service reimbursement, the staff recommends recording liens on qualifying delinquent utility accounts.

Alternatives:

1. Approve Resolution Number 23-108
2. Deny Resolution Number 23-108 and direct staff on how they would prefer to proceed.

Discussion of Alternatives:

Approval of Resolution Number 23-108:

Advantages:

- Approval of the Resolution will comply with Florida Statutes and provides prudent management of City utility receivables.

Disadvantages:

- Minimal filing and administrative costs are required to record a lien.

Denial of Resolution Number 23-108:

Advantages:

- No additional filing or administrative costs are required to file a lien.

Disadvantages:

- The City does not comply with Florida Statutes and has little recourse for collecting unpaid utility services.

Budget/Staff Impact:

The utility enterprise fund has sufficient revenue to process the liens, release and pay recording fees. It is unknown when the recovery will occur. Due to changes in staffing, this process is now being reinstated and will occur on a regular basis.

The proposed action will help the City achieve the following objectives:

- Follow Florida Statutes.
- Create a procedure for collecting past-due utility bills, which is the property owner's responsibility. Only the owner of the property can be liened. Obligations created by the lessee are not an allowed obligation of the property owner.
- Impose and maintain liens on properties for unpaid utility bills.

Attachments: Resolution Number 23-108 – Utility Liens
Exhibit A: List of Property to be liened

Prepared By:

Arlene Applegate, Customer Service Representative III
Mike Sheppard, Finance Director

RESOLUTION NUMBER 23-108

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING THE RECORDING OF WATER, WASTEWATER, AND IRRIGATION LIENS.

WHEREAS, Florida Statutes Chapter 180 provides municipalities with authority to establish and operate water utility systems; and

WHEREAS, Florida Statutes 159.17 *Lien of Service Charges* requires that any city issuing revenue bonds shall have a lien on all lands or premises served by any water system, sewer system, or gas system for all service charges for such facilities until paid, which liens shall be prior to all other liens on such lands or premises except the lien of state, county and municipal taxes and shall be on a parity with the lien of such state, county and municipal taxes. Such liens, when delinquent for more than 30 days, may be foreclosed by such city in the manner provided by the laws of Florida for the foreclosure of mortgages on real property; and

WHEREAS, the City of Eustis has issued Water and Sewer Series 2016 Revenue Bonds; and

WHEREAS, as authorized by state law, there is hereby imposed a lien on each property that is served by the City’s water, wastewater, and/or irrigation system to secure the payment of delinquent City utility services; and

WHEREAS, based on utility criteria, the City identified delinquent accounts (See Staff Report), which will be recorded as water, wastewater, and irrigation liens.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of the City of Eustis, Florida, does hereby authorize the recording of such liens, as presented in Exhibit A.

DONE AND RESOLVED, this 14th day of December 2023, in the regular session of the City Commission of the City of Eustis, Lake County, Florida.

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

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran
City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 14th of December 2023 by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-108 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 Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

EXHIBIT A

20534-0	BISHOP, JOHN Meter was pulled 11/6/23. Four months past due. Last payment was \$89.70 on 7/11/23. Water was cut off 10/5/23.	1020 E BATES AVE	\$476.53
21986-1	CHUA, JAMES GOIK SU & GLASER, LISA Meter was pulled 11/14/23. Seven months pasted due. Last payment was \$57.78 on 4/13/23. Water was cut off 11/2/23	70 CARDINAL ST	\$136.14
23642-2	MCKINLEY, JUSTIN R Meter was pulled 11/13/23. Six months pasted due. Last payment was \$161.76 on 5/1/23. Water was cut off 9/12/23.	700 CRICKET HOLLOW LN	\$479.31
23974-0	STILTNER, BOONE ESTATE Meter was pulled 3/16/23. Five months past due. Last payment was \$96.70 on 10/5/22. Water was cut off 2/15/23.	2717 S DELLWOOD DR	\$489.55
24414-3	HONEYCUTT, TIMOTHY & SOPHIA Garbage only account. Garbage was stopped 9/28/23. Eleven moths past due. Never made any payments.	2460 E CROOKED LAKE CLUB BLVD	\$326.93
27514-2	IGNOT, BRYAN & CALAN, ANA MARI Meter was pulled 11/28/23. Seven months past due. Never made any payments.	1523 JOHNSON ST	\$179.65
29866-0	SCOTT, RANDOLPH Meter was pulled 11/6/23. Three months past due. Last payment was \$150.44 on 7/3/23. Water was cut off 10/3/23.	1303 MCDONALD AVE	\$211.11
33048-1	MARSHALL, OLLIE MAE ESTATE Meter was pulled 7/12/23. Four months past due. No payments made on this account. Water was cut off 3/10/23.	605 REDDICK ST	\$215.18
34276-4	CALLAHAN, ROBERT L JR Meter pulled 9/27/23. Five months past due. Last payment was \$84.70 on 6/15/23. Water was cut off 9/12/23.	740 SUMMIT ST	\$442.79
Totals			\$2,957.19



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: December 14, 2023

RE: Resolution Number 23-104: America-In-Bloom: Clifford House Museum’s Grounds and Garden Restoration and Corresponding Budget Amendment

Introduction:

Resolution Number 23-104 approves the expenditure of \$99,750 for the renovation of the Clifford House Museum’s gardens and grounds, and approves a corresponding budget amendment for this purpose.

Background:

In March 2023, the City of Eustis became a member of *America-In-Bloom*, a nationwide organization dedicated to creating community vitality across America through policies, programs, activities and facilities that lead to a vibrant community and promote a sense of health and well-being. As part of the City’s efforts, an America-In-Bloom committee has been formed, lead by Vice-Mayor Emily Lee.

In keeping with America-In-Bloom’s mission, the Committee wishes to undertake the refurbishing of the gardens and grounds of the Eustis Historical Museum, the Clifford-Taylor House. Staff has developed a plan to restore the grounds to its former glory, placing the museum’s grounds into a place of beauty and tranquility for citizens and guests to visit.

The Committee’s plans include landscape architectural design in keeping with the museum’s era. The plan will also involving engaging the City’s arborist to evaluate trees and plants to determine what is to be removed. The chain link fence will be removed to create an open, inviting atmosphere for people to stroll the grounds. New pollinator-friendly flower beds and shrubs will be planted in various areas around the property and surrounding the house, along with cultivated and native trees and ground cover.

The irrigation system for the proposed planting beds will be refurbished to adequately cover the new plantings. Lastly, there will be a water feature installed on the grounds to add to the peaceful ambiance along with furnishings for visitors to sit and relax in the shade.

Estimated Cost for this project:

- Landscape Architect Design \$ 20,000
- Tree Removal and Pruning \$ 20,000
- Fence Removal \$ 3,500
- Furnishings \$ 4,500
- Bed Plantings & Irrigation \$ 40,000
- Water Feature \$ 7,000
- 5% Contingency \$ 4,750

Recommended Action:

Staff recommends approval of Resolution Number 23-104

Budget/Staff Impact:

The cost for the renovations of the Eustis Historical Museum – Clifford House Gardens and Grounds is estimated at \$99,750. The General Revenue Fund balance, less a 90-day reserve of \$5,971,728, is \$14,934,868. Staff is requesting an amendment to the 2023-2024 Budget to establish a project expenditure account within the 001 General Fund using account number 001-8600-581-94-33. The City's Engineering Department will serve as project managers, and our "Continuing Consultants and Contracts" vendors will be utilized where possible.

Prepared By:

Sally Mayer, Administrative Assistant – Public Utilities

Reviewed By:

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

Mike Sheppard, Director of Finance

Attachments:

Resolution Number 23-104

RESOLUTION NUMBER 23-104

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING THE EUSTIS HISTORICAL MUSEUM'S GROUNDS RESTORATION PROJECT AND AUTHORIZING AN AMENDMENT OF THE 2023-2024 BUDGET FOR THIS PURPOSE.

WHEREAS, the City of Eustis is a member of the nationwide organization America-In-Bloom; and

WHEREAS, in keeping with this organization's mission, the City of Eustis plans to revitalize various city parks and common areas; and

WHEREAS, Staff has created a plan to restore and beautify the gardens and grounds of the Eustis Historical Museum, the Clifford House; and

WHEREAS, the cost for this plan is estimated to be \$99,750; and

WHEREAS, an amendment to the current fiscal year 2023-2024 Budget is necessary to establish a project expenditure account to accommodate the expenses of this project; and

WHEREAS, City of Eustis policies require the City Commission's approval of any expenditure over \$50,000; and

WHEREAS, City of Eustis policies require the City Commission's approval of any changes to the accepted current budget.

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

- (1) That the City Commission authorizes staff to spend in excess of \$50,000 to proceed with this project; and
- (2) That the Finance Director is authorized to amend the Fiscal Year 2023-2024 Budget to establish a project expenditure account within the 001 Fund for this project; account number 001-8600-581-94-33.

DONE AND RESOLVED this 14th day of December, 2023, in regular session of the City Commission of the City of Eustis, Florida.

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

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 14th day of December 2023, 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 23-104 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: December 14, 2023

RE: Resolution Number 23-105: Fiscal Year 2023-2024 Budget Amendment for the Clifford House Museum

Introduction:

The Events & Tourism Department recently acquired operations of the Clifford House Museum and is in need of additional budget dollars to improve the home and for the future daily operations.

Background:

As the Eustis Historical Society has dissolved, the Events team has taken on the task of cleaning, updating, and improving the Clifford House Museum. At this time, the team is going through the home room by room, cleaning and assessing the improvements necessary to reopen the home to visitors. The museum was formally assigned to the Events team after the annual budget process and as such, additional funding is being requested to move forward with improvements and to re-open the home to visitors.

Resolution Number 23-105 budgets \$88,100 for the refreshing and future operations of the museum. A breakdown of the proposed expenses is attached to the staff report. The unaudited fund balance (less a 90-day reserve of \$5,971,728) is estimated to be \$14,934,868. Additionally, FY 23-24 estimated revenues over expenditures is \$431,948. Both the fund balance and current year budget can more than accommodate the additional expenses proposed in Resolution Number 23-105.

Recommended Action:

The Events & Tourism Department is recommending approval of Resolution Number 23-105 which approves a budget amendment to add \$88,100 in expenses to the FY 23-24 budget for the Clifford House Museum.

Budget/Staff Impact:

Resolution Number 23-05 approves a budget amendment in the amount of \$88,100 for the Clifford House Museum to include additional staff hours, refreshing efforts, and daily operations of the museum.

Prepared By:

Miranda Muir, Events & Tourism Manager

Attachments:

Resolution Number 23-105
Budget Breakdown

RESOLUTION NUMBER 23-105

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AUTHORIZING THE CITY’S FINANCE DIRECTOR TO MAKE THE NECESSARY BUDGET ADJUSTEMENTS TO THE FISCAL YEAR 2023-2024 BUDGET TO PROVIDE FUNDING FOR THE EVENTS & TOURISM DEPARTMENT TO PROCEED WITH NEEDED IMPROVEMENTS AND FUTURE DAILY OPERATIONS OF THE CLIFFORD HOUSE MUSEUM.

WHEREAS, the City of Eustis Events & Tourism Department has recently added the operation of the Clifford House Historical Museum to their duties and responsibilities; and

WHEREAS, the home is in need of cleaning, upgrading, and the City would like to improve historical displays for future guests to enjoy; and

WHEREAS, the Events & Tourism Department has determined additional budget dollars in the amount of \$88,100.00 are necessary for the immediate updates and regular operation of the museum.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Florida that the City’s Finance Director is hereby authorized to make the necessary budget adjustments for Fiscal Year 23-24 in the amount of \$88,100.00 to reflect the needed expenditures for the improvement and development of the Clifford House Museum.

DONE AND RESOLVED, this 14th day of December 2023, 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

History Museum 23-24**Salaries & Wages**

Over-Time \$12,000.00 plus taxes

Contractual Services

Grand Opening Entertainment \$4,500.00
 Video Production \$3,500.00
 Special Events \$4,500.00
 Misc. Supplies \$2,500.00

Travel & Per Diem

Museum Visits \$750.00

Communication

Telephone/Wifi \$1,500.00

Postage

\$250.00

Rentals & Leases

Grand Re-Opening \$6,000.00
 Storage Unit \$1,920.00
 Special Event \$1,580.00

Repairs & Maintenance

Plaster/Paint \$5,500.00
 Plumbing \$1,500.00
 Rug Cleaning/New Mats \$1,250.00
 Deep Cleaning Throughout \$2,500.00
 Re-Key \$250.00
 Exterior Powerwash \$3,000.00
 Misc. Repairs \$8,500.00

Promotional

Grand Re-Opening \$5,000.00
 Includes social, invites, print, signage
 General \$5,000.00
 Includes social, peachjar/schools, print
 Special Event \$2,000.00

Office Supplies**Operating Supplies**

Updated Displays \$10,000.00
 Includes T.V.'s, Frames, Display Cases

Subscriptions

Constant Contact - Upgrade Events	\$1,000.00
Website Domain	\$500.00
Adobe - Upgrade Events	\$600.00

\$12,000.00

\$15,000.00

\$750.00

\$1,500.00

\$250.00

\$9,500.00

\$22,500.00

\$12,000.00

\$2,500.00

\$10,000.00

\$2,100.00

\$88,100.00



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: DECEMBER 14, 2023

RE: RESOLUTION NUMBER 23-107: PROPOSED CONTRACTING OF POLICE DISPATCHING SERVICES WITH THE LAKE COUNTY SHERIFF'S OFFICE

Introduction:

Resolution Number 23-107 approves a contract with the Lake County Sheriff's Office (LCSO) to provide police dispatching services to the City of Eustis.

Recommended Action:

Staff recommends approval of Resolution Number 23-107.

Background:

The City of Eustis Police Department currently operates our communications division with eight full-time and four part-time police dispatchers to provide 24-hour service. These individuals answer emergency 911 calls for service, answer routine administrative and non-emergency calls, while also dispatching police officers to calls for service and monitoring all radio traffic (among many other tasks). Although these individuals have done an excellent job at juggling all of these tasks, the opportunity to consolidate with the Lake County Sheriff's Office provides an economy of scale that we currently are unable to provide. In addition, it offers a significant cost savings now and into the future.

By having all citizen calls for police service centralized in a large, modern communications center, miscommunication is reduced between what is today, two separate dispatching centers located several miles from each other. When the dispatching is provided by the LCSO, misdirected citizen calls for service are more quickly resolved and a better coordinated police response will result. All calls for Fire and Emergency Medical Service in the City of Eustis have been dispatched through Lake County for over 19 years. The same quality service provided to citizens for fire service will now be available police services. The LCSO currently provides police dispatching for Mt. Dora, Clermont, Tavares, Umatilla, Lady Lake, Howey-in the Hills, Astatula, Fruitland Park and Mascotte.

The following are examples of increased services provided by the Lake County Sheriff's Office:

- Centralized communications is vital during critical incidents, such as an active shooter or mass casualty event.

- As the primary Public Safety Answering Point (PSAP) for the City of Eustis, our Communications Center has two stations for answering 911 calls. With multiple emergencies or a major incident, this overloads the two stations and by default, these emergency calls are currently routed to Lake County Sheriff's Office to be answered.
- A shared radio frequency with a neighboring agency will provide additional backup officers and decreased response times along the 441 corridor.
- An enterprise level of support is in place for the majority of Lake County's Communications Center. This provides a rapid response from vendors in maintaining the system with little, to no, disruption of service.
- The Lake County Communications Center is currently our default location to operate from during a catastrophic system failure.
- Multiple levels of redundancy for power (electricity) and maintaining communications services are in place.
- Clean power is available during an outage, using an Uninterrupted Power Source (UPS) for back up. This provides an uninterrupted source of power, where the communications and IT equipment is protected from a surge of power.
- Communications officers with LSCO have one task, either phone or radio. This provides a single focus for gathering and disseminating information.
- There are several tiers of supervision beginning with a Major, Captain, Lieutenant, and other civilian managers. Each shift has at least one communications supervisor who has direct oversight over the communications staff.
- Provision of designated IT staff over Communications.
- Specifically assigned staff for GIS mapping updates.
- The ability to receive and identify the radio that activated the "man down" button.

Budget /Staff Impact:

The cost to contract dispatch services with the Lake County Sheriff's Office is a one-time payment of \$85,000.00 and an annual sum, paid on a quarterly basis, of \$283,140.00. This amount is based on the Florida Legislature's Office of Economic and Demographic Research stated population for the City of Eustis in 2022 of 23,595. At \$12 per person, the resulting annual fee is \$283,140.00 (23,595 x \$12 = \$283,140.00). The City of Eustis anticipates a cost savings of approximately \$552,997 in annual operating expenses.

Community Input:

The public will have an opportunity to comment on this issue during the City Commission meeting.

Prepared by:

Craig Capri, Chief of Police

Attachments:

Resolution Number 23-107

Agreement with Lake County Sheriff

RESOLUTION NUMBER 23-107

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING AN AGREEMENT WITH THE LAKE COUNTY SHERIFF FOR RENDITION OF LAW ENFORCEMENT DISPATCH SERVICES; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has sought to maintain a high level of professional police telecommunication services for the benefit of the citizens of the City; and

WHEREAS, the City recognizes the continued escalation of costs to the City for the provision of such services and wishes to continue to minimize the cost of government for the benefit of the citizens of the City; and

WHEREAS, the City desires to continue to maintain competent professional law enforcement dispatch services in conjunction and in harmony with its program of fiscal responsibility; and

WHEREAS, the City desires to contract with the Sheriff of Lake County for the performance of law enforcement dispatch services within the corporate limits of the City; and

WHEREAS, the Sheriff is willing to augment his telecommunications staff to provide such services to the Eustis Police Department and the citizens of Eustis; and

WHEREAS, having a desire to contract for such services upon the terms and conditions set forth within this agreement, the City Commission of the City hereby authorizes the Sheriff to render law enforcement dispatch services within the corporate limits of the City by the Sheriff; and

WHEREAS, actual implementation of said dispatch services cannot immediately begin on the dates this agreement is signed by the parties, therefore, the Sheriff has agreed to render continuing professional law enforcement dispatch services to the City beginning on or about February 1, 2024; and the City desires to contract for such services upon the terms and conditions set forth within this agreement.

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

SECTION 1

That the attached agreement for the rendition of law enforcement dispatch services is hereby approved.

SECTION 2

That the Mayor of the City of Eustis is hereby authorized to execute said agreement.

SECTION 3

That this agreement shall become effective February 1, 2024, with actual implementation date to be on or about February 1, 2024.

DONE AND RESOLVED this 14th day of December 2023, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

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

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 14th day of December 2023, 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:

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-107 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

AGREEMENT FOR LAW
ENFORCEMENT DISPATCH SERVICES

This Agreement for Law Enforcement Dispatch Services (hereinafter “AGREEMENT”) is made and entered into by and between Peyton C. Grinnell, as Sheriff of Lake County, Florida, (hereinafter “SHERIFF”) and The City of Eustis, a municipal corporation existing pursuant to the laws of the State of Florida, its successors and assigns through its City Council (hereinafter CITY) (collectively SHERIFF and the CITY being the “PARTIES”).

W I T N E S S E T H:

WHEREAS, the CITY has sought to maintain a high level of professional police telecommunication services for the benefit of the citizens of the CITY; and

WHEREAS, the CITY recognizes the continued escalation of costs to the CITY for the provision of such services and wishes to continue to minimize the cost of government for the benefit of the citizens of the CITY; and

WHEREAS, the CITY desires to continue to maintain competent professional law enforcement dispatch services in conjunction and in harmony with its program of fiscal responsibility; and

WHEREAS, the CITY desires to contract with the SHERIFF for performance of law enforcement dispatch services within the corporate limits of the CITY; and

WHEREAS, the SHERIFF is willing to augment his telecommunications staff to provide such services to the Eustis Police Department and the citizens of Eustis; and

WHEREAS, having a desire to contract for such services upon the terms and conditions set forth within this AGREEMENT, the CITY authorizes the SHERIFF to render law enforcement dispatch services within the corporate limits of the CITY by the SHERIFF; and

NOW THEREFORE, in consideration of the mutual promises, covenants, conditions and payments hereinafter contained, the PARTIES agree as follows:

Section 1. Recitals. The above recitals are true and correct and incorporated herein.

Section 2. Law Enforcement Dispatch Services. The SHERIFF shall provide to the CITY, for the term indicated in this AGREEMENT, competent professional law enforcement dispatch services within and throughout the corporate limits of the CITY under the authority given the SHERIFF by the laws of the State of Florida, by providing police dispatch service each day of the year on a twenty-four (24) hour per day basis. The CITY agrees and understands (i) the

SHERIFF may or may not, in his sole discretion, provide a dedicated channel solely for the CITY'S law enforcement dispatch services and (ii) the SHERIFF may or may not, in his sole discretion, provide a channel for CITY's law enforcement dispatch services shared by and with other law enforcement agencies. Within five days after the effective date of this Agreement, the CITY shall establish its own phone line dedicated to and for after-hours issues not requiring law enforcement services including City building, right-of-way, and utility issues (i.e., power, water, and sewer disruptions in service) so that such persons calling SHERIFF dispatch can be provided with the same.

Section 3. Transition to Sheriff. No later than five (5) days after the effective date of this Agreement, the CITY shall notify its personnel of the move to SHERIFF and SHERIFF's representatives shall meet with the CITY's dispatch personnel to discuss potential employment with the SHERIFF. No later than five (5) days after the effective date of this Agreement, the CITY's dispatch consoles, and all other dispatch equipment shall be irrevocably conveyed and relocated to SHERIFF to use as SHERIFF deems appropriate in SHERIFF's sole discretion.

Section 4. Compensation. The CITY shall pay SHERIFF an initial one-time payment of eighty-five thousand dollars and no cents (\$85,000.00) within five days of the effective date of this Agreement. In addition, the CITY will pay SHERIFF an annual sum, paid on a quarterly basis, of two hundred eighty-three thousand one hundred forty dollars and no cents (\$283,140.00) for dispatching services provided pursuant to this AGREEMENT. Such compensation shall be invoiced by SHERIFF in equal quarterly installments of \$70,785.00 beginning February 1, 2024. Invoices shall be paid within fifteen (15) days of receipt. This amount is based on the Florida Legislature's Office of Economic and Demographic Research stated population for the CITY in 2022, of 23,595 at \$12 per person ($23,595 \times \$12 = \$283,140.00$). The amount of compensation owed under the contract will be automatically adjusted on October 1, 2025. The amount of the automatic adjustment will be based on the Florida Legislature's Office of Economic and Demographic Research Office's published population estimate for the CITY on April 1, 2025, times \$12 per person.

Section 5. Potential Appointment of Personnel. The SHERIFF may, in his sole discretion, hire the CITY's dispatchers as employees of the SHERIFF to provide competent and professional services as he sees fit and proper. Should the SHERIFF decide to hire the CITY's dispatches as employees, the CITY shall not be required to assume any liability for direct payment

for any salaries, wages or other compensation, contributions to pension funds, insurance premiums, workers compensation funds, vacation or compensatory time, sick leave benefits, or any other amenities or employment to any personnel of the SHERIFF performing the services, duties and responsibilities pursuant to this AGREEMENT for the benefit of the CITY and its residents or any other liabilities whatsoever unless otherwise specifically provided herein. However, the CITY shall remain responsible for any and all damages, actions, suits, claims and demands of whatsoever kind made by or on behalf of any person or entity which are alleged to have arisen out of, in connection with, or by reason of all law enforcement services and administrative actions taken by the CITY Police Department or the CITY's dispatchers prior to SHERIFF hiring the dispatchers, should he elect to do so. This provision shall in no way be construed as being for the benefit of any third party or as a waiver of sovereign immunity on the part of the CITY.

Section 6. Performance of Services by SHERIFF. Beginning on February 1, 2024, the SHERIFF shall have and maintain the responsibility for the control and rendition of all law enforcement services, duties and responsibilities described and contemplated in this AGREEMENT.

Section 7. Sovereign Immunity. The PARTIES agree that nothing contained herein shall in any way waive the sovereign immunity that they enjoy presently under the Constitution and statutes of the State of Florida, particularly with respect to Chapter 768, Florida Statutes. The PARTIES agree that the determination of the CITY for the SHERIFF to provide police dispatch services by this AGREEMENT is an exercise of the legislative planning function of the CITY and that at no time after the Sheriff employs the dispatchers shall the CITY exercise any specific operational control over the activities of any of the telecommunicators, their supervisors, deputy sheriffs or other personnel of the SHERIFF nor shall the CITY perform or undertake any acts that are over and above a planning level function with regard to the administration of law enforcement dispatch services within the CITY during the term of this AGREEMENT.

Section 8. Liability Insurance for Official Acts. Upon employment, the personnel appointed and employed by the SHERIFF shall be covered in all respects, as are other members of the SHERIFF'S office through the SHERIFF'S insurance.

Section 9. Term. This AGREEMENT shall take effect on February 1, 2024 (effective date of this agreement) and shall terminate at midnight on February 1, 2027. This AGREEMENT may be unilaterally terminated by the SHERIFF or by the CITY with or without

cause or reason so long as the effective date of termination is preceded by a one hundred and twenty (120) day written notice to the other party.

Section 10. Renegotiation. The PARTIES agree that if substantial change(s) occur during the term of this AGREEMENT the PARTIES may attempt in good faith to renegotiate the terms of this AGREEMENT, however, unless otherwise agreed to in writing, all terms stated in this AGREEMENT shall remain as stated herein.

Section 11. Term Extension. For and in consideration of the mutual benefits herein contained, the sufficiency of which is hereby acknowledged, the PARTIES agree the SHERIFF and the CITY may extend the term of this AGREEMENT subject to negotiations relative to the terms, conditions and consideration between the PARTIES. If the PARTIES elect to extend this AGREEMENT, it shall be reduced to writing with same formality and equal dignity as this AGREEMENT.

Section 12. Governing Law. This AGREEMENT and all of the rights and obligations of the PARTIES hereto shall be governed and construed according to the laws of the State of Florida. The PARTIES further agree that jurisdiction regarding the rights and obligations of either party under this AGREEMENT and any litigation resulting therefrom shall be exclusively in the Fifth Judicial Circuit in and for Lake County, Florida.

Section 13. Notices.

A. All notices, demands or other writings required to be given or made or sent pursuant to this AGREEMENT, or which may be given or made or sent by either party to the other, shall be deemed to have fully been given or made or sent when in writing and addressed as follows:

SHERIFF	CITY
Peyton C. Grinnell, Sheriff	Michael L. Holland, Mayor
Lake County Sheriff's Office	City of Eustis.
Attn: General Counsel	P.O. Drawer 68
360 West Ruby Street	Eustis, FL 32727
Tavares, FL 32778	

B. All notices required, or which may be given hereunder shall be considered properly given if: (1) personally delivered, (2) sent by certified United States Mail, return receipt requested, or (3) sent by private overnight letter delivery

company. Any notice shall also be sent by email to the Mayor and the Sheriff's General Counsel.

- C. The effective date of such notices shall be the date personally delivered, or if sent by mail, the date of the postmark, or if sent by overnight letter delivery company, the date the notice was picked up by the overnight letter delivery company.
- D. The PARTIES may designate other parties or addresses to which notice shall be sent by notifying, in writing, the other party in the manner designated for the filling of notice hereunder.

Section 14. Amendments. No modification, amendment or alteration of the terms or conditions contained herein shall be effective unless contained in a written document by the PARTIES with the same formality and of equal dignity of this AGREEMENT.

Section 15. Entire Agreement. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein, and the PARTIES agree that there are no commitments, agreements or understandings concerning the subject matter of this AGREEMENT that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements whether oral or written.

IN WITNESS WHEREOF, the PARTIES have made and executed this AGREEMENT on the respective dates under each signature. The CITY, by and through its Mayor, authorized to execute same on the ____ day of _____, 2023, and Peyton C. Grinnell, as Sheriff of Lake County, Florida.

CITY
On this ____ day of _____, 2023

SHERIFF
On this ____ day of _____, 2023

BY: _____
Michael L. Holland, as Mayor
of City of Eustis

BY: _____
Peyton C. Grinnell, as Sheriff
of Lake County, Florida

Attest:

_____, City _____



City of Eustis

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

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: December 14, 2023

RE: Ordinance Number 23-30: **FIRST READING** Conditional Use Permit for Ace Hardware Store Located at 18691 U.S. Highway 441

Introduction:

Ordinance Number 23-30 approves a Conditional Use Permit for allowance of additional barbed wire fencing behind the Ace Hardware Store for property located at 18691 U.S. Highway 441 (Alternate Key Number 3524390).

Background:

- a. The site is developed with a commercial building of ±8,000 square feet, within the General Commercial (GC) Land Use District. The Design District for this building is Suburban Corridor (SC).



Applicant's Request:

The applicant requests a Conditional Use Permit to allow additional barbed wire fencing at the rear of the building located at 18691 U.S. Highway 441 and the southern entry area into the 44 Gables Subdivision

Analysis:

The standards of review must show the conditional use is consistent with the City's Comprehensive Plan, Land Development Regulations and City Code. Accordingly, staff has reviewed this conditional use request with consideration of the following:

Section 110-5.7 Fences of the City's Land Development Regulations allows barbed wire fencing on properties with barbed wire fencing installed, prior to December 15, 2016. The Ace Hardware Site Plan was previously approved by the City Commission on January 21, 1999 and included fencing around a side and rear areas of the building. Prior to 2016, these areas contained barbed wire around the top of the fence.

The standards of review must show the conditional use is consistent with the City's Land Development Regulations, and City Codes, which are shown below.

The exterior appearance would not vary much as fencing was previously visible in the rear of the store.

Additional Applicable Policies and Codes:

Staff has reviewed this conditional use request with consideration of the following.

Section 102-30 (Conditional Uses) of the Land Development Regulations (LDRs) provides for uses that are generally compatible with the use characteristics of a future land use district, but which require individual review of:

"Location, design, intensity, configuration, and public facility impact, in order to determine the appropriateness of the use of any particular site in the district and their compatibility with adjacent uses."

The Conditional Use review allows the City Commission to attach conditions, limitations, and requirements to a conditional use permit to prevent or minimize adverse effects upon other properties in the neighborhood. These conditions can include limitations on size, intensity of use, bulk and location, landscaping, lighting, provision of adequate ingress and egress, duration of the permit, and hours of operation.

Policy Implications:

Approval or denial of this waiver request to grant approval of allow additional barbed wire fencing at the rear of 18691 U.S. Highway 441 could set a precedent for the review of similar requests in the future.

Alternatives:

1. Approve Ordinance Number 23-30.
2. Deny Ordinance Number 23-30.

Community Input:

The department has properly advertised the Ordinance in the newspaper; notified surrounding properties within 500 feet, and posted the property. To date, there has been no opposition received to the proposed development, nor any feedback at all related to this Conditional Use request.

Budget/Staff Impact:

There would be no direct cost to the City associated with the action. There would be no additional staff time beyond the normal plan review process and inspection.

Conclusion:

Staff recommends approval of the conditional use request based upon the above discussion which outlines that the proposed use will be compatible with the surrounding uses because of its location, no change to the existing building, which will not affect the intensity of the property or tax the capacity of any public facilities.

Prepared By:

Mike Lane, AICP, Director, Development Services Department

Attachment:

Proposed Ordinance Number 23-30

ORDINANCE NUMBER 23-30

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A CONDITIONAL USE PERMIT FOR ADDITIONAL BARBED WIRE FENCING AT THE REAR OF THE ACE HARDWARE STORE LOCATED AT 18691 U.S. HIGHWAY 441.

WHEREAS, Roy “Cade” Carter, III, representative and applicant for Ace Hardware Store has applied for a Conditional Use Permit for a barbed wire expansion on the rear of the building located at 18691 U.S. Highway 441; and

WHEREAS, the subject property has a Land Use Designation of General Commercial (GC) and a Design District Designation of Suburban Corridor; and

WHEREAS, barbed wire fencing is allowed on properties with barbed wire fencing installed prior to December 15, 2016; and

WHEREAS, the request for a Conditional Use Permit was properly Noticed for a Quasi-Judicial Public Hearing before the City Commission; and

WHEREAS, on December 14, 2023, the City Commission held the 1st Public Hearing to consider the Conditional Use Permit; and

WHEREAS, on January 4, 2024, the City Commission held the 2nd Public Hearing to consider the Conditional Use Permit; and

WHEREAS, the proposed conditional use is consistent with the City’s Land Development Regulations, Comprehensive Plan, and Code of Ordinances; and

WHEREAS, the applicant has presented evidence to establish the following:

1. That the proposed use is desirable at the particular location;
2. That the proposed conditional use will not have an undue adverse effect on nearby property;
3. That such use will not be detrimental to the health, safety, or general welfare of the citizens residing in the area;
4. That the proposed conditional use is compatible with the existing or planned character of the neighborhood in which it would be located;

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

Section 1. That a Conditional Use Permit is granted for additional barbed wire in the rear of the building located at 18691 U.S. Highway 441, more particularly described as:

EUSTIS, 44 GABLES LOT 1 PB 32 PGS 91-93 ORB 1692 PG 1772 ORB 3543
PG 1606

ALTERNATE KEY NUMBER: 3524390
PARCEL NUMBER: 19-19-27-0010-000-00100

- Section 2.** That the conditions of approval require that the store meets all applicable provisions of the Land Development Regulations and the City Code of Ordinances.
- Section 3.** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.
- Section 4.** 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 upon passing.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 4th day of January 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 4th day of January, 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, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 23-30 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