



AGENDA

City Commission Meeting

6:00 PM – Thursday, September 21, 2023 – City Hall

INVOCATION: REVEREND CYNTHIA A. SNAVELY, INTERIM PASTOR, UNITARIAN UNIVERSALIST CONGREGATION OF LAKE COUNTY

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

July 13, 2023 City Commission Budget Workshop
September 7, 2023 City Commission Meeting

3. PRESENTATIONS

[3.1](#) Events Department Presentation

[3.2](#) Paws Therapy Dogs, Inc.

4. AUDIENCE TO BE HEARD

5. CONSENT AGENDA

[5.1](#) Resolution Number 23-83: Bid Award for Construction Services for the Coolidge Street Utility Improvements Project

[5.2](#) Resolution Number 23-84: Utility Liens

[5.3](#) Resolution Number 23-86: Authorizing Multiple Annual Purchases in Excess of \$50,000 for each of Three Products and Services that are Essential for the Public Utilities Daily Operations

[5.4](#) Resolution Number 23-87: Approving a Contract for Lobbyist Services

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

[6.1](#) Resolution Number 23-77: Fiscal Year 2023-2024 Final Millage

[6.2](#) Resolution Number 23-78: Fiscal Year 2023-2023 Adopting a Final Budget

[6.3](#) **SECOND READING**

Ordinance Number 23-15: Voluntary Annexation

Ordinance Numbers 23-15, 23-16, and 23-17: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS with ALTERNATE KEY 1213177

Ordinance Number 23-15 – Voluntary Annexation
Ordinance Number 23-16 – Comprehensive Plan Amendment
Ordinance Number 23-17 – Design District Assignment

6.4 **SECOND READING**

Ordinance Number 23-16: Comprehensive Plan Amendment - Future Land Use

Explanation of Ordinances for Annexation, Assignment of Future Land Use and Design District for a Parcel with Alternate Key Number 1213177

6.5 **SECOND READING**

Ordinance Number 23-17: Design District

Explanation of Ordinances for Annexation, Assignment of Future Land Use and Design District for a Parcel with Alternate Key Number 1213177

6.6 **FIRST READING**

Ordinance Number 23-23: FIRST READING Annual update of 5-yr. Capital Improvements Plan

6.7 **FIRST READING**

Ordinance Number 23-24: FIRST READING Conditional Use Permit to allow a School in the Central Business District (CBD) - 135 N Grove Street

7. OTHER BUSINESS

7.1 Investment Discussion: Tryon Clear View Group Interest Options

7.2 City Manager's Performance Evaluation

8. FUTURE AGENDA ITEMS

9. COMMENTS

9.1 City Commission

9.2 City Manager

9.3 City Attorney

9.4 Mayor

10. 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: September 21, 2023

RE: Approval of Minutes

Introduction:

This item is for consideration of the minutes of the July 13, 2023 City Commission Budget Workshop and the September 7, 2023 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 Budget Workshop

5:30 PM – Thursday, July 13, 2023 – City Hall

CALL TO ORDER: 5:31 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 Human Resources: Pay and Classification Practices

Bill Howe, Human Resources Director, reviewed the City's pay classification schedule and explained the City's process for assignment of positions to pay ranges. He also explained the issue of internal pay equity versus external pay equity. He provided to the Commissioners copies of the study performed by Cody and Associates and a position description questionnaire that was completed by each employee. He explained that from 2008 to 2013 there were no pay raises. The City went ten years without increasing the minimum pay range for the exempt employees. He indicated that has been fixed and the last five years the City has been moving those up.

Mr. Howe then reviewed the planned pay raises of surrounding cities for the next fiscal year as follows: Clermont - 4% across the board; Tavares - 6%, Mount Dora - 3% and Leesburg 5%. He stated that the City has proposed a 3% across the board plus an additional 1% for \$1,000. He indicated that for an employee making at least \$50,000, the \$1,000 equals another 2% for a total 5% increase. For an employee that makes less than \$50,000, it will equal more than 5%. He stated that the City continues to make progress in improving the pay schedule.

The Commission asked when the last pay study was done by Cody and Associates with Mr. Howe responding it was done in 2017. He explained they continue to use them. He indicated that whenever they create a new position or a position description changes, they send the data to Cody & Associates to determine the appropriate classification. He reported that he would have the classifications for the Public Relations Manager and Communications Specialist by the next day. He emphasized that when setting a pay range they have to insure they are based on the point factors or they could be exposed to litigation as the decisions being discriminatory. He further explained how the point factors are determined.

The Commission questioned how the City can compete with other cities to hire quality employees with Mr. Howe commenting on the other qualities the City has for employees including work environment and benefits.

The Commission questioned whether or not the City conducts exit interviews with Mr. Howe indicating they are voluntary. He acknowledged that pay was often cited as a reason but so were other reasons such as location and commute time.

The Commission commented on the effect of growth of the City, unfunded mandates and minimum wage changes which were enacted after the study.

Mr. Howe added that Cody and Associates looked only at internal equity and did not look at external pay for the study.

Tom Carrino, City Manager, stated Cody and Associates did not consider minimum wage at the time of the study. He stated that, for the past four or five years whenever the City has provided pay increases, they have also increased the ranges in order to address some of the external pay equity.

The Commission discussed how to address dealing with employee pay in relation to growth of the City, including the ability to sustain any increases.

Mr. Howe noted struggles to find the right applicants for the City and expressed confidence in finding the best applicant for the positions. He commented on the upcoming strategic planning process delving into the issue in an effort to recruit and retain quality staff for the City. He explained the City's progress in improving its pay ranges.

Discussion was held regarding how the City lost a number of staff in the past due to the economy and how the City has worked to recover. Discussion was held regarding the difficult decisions the Commission must make in how to spend the City's funds and the progress made since the Cody and Associates study.

Discussion was held regarding the possibility of initiating a new study and re-evaluating future growth and the economy to prepare for the future.

Mr. Howe stated that external equity has not been evaluated by a pay or compensation study for comparison purposes. He explained that type of study would examine other cities. He indicated that to recruit and maintain the City should have a competitive rate. He added that an external study may cost \$25,000 to \$30,000.

Discussion was held regarding examining those positions that may be turning over in the near future and planning for those.

Mr. Carrino commented on the option of a merit based system and highlighted the challenges with different supervisory styles and differing evaluations.

Further discussion was held regarding evaluations and pay for new employees with Mr. Howe expressing support for the City's positions providing an opportunity for employees to grow and receive additional compensation. He expressed opposition to utilizing recruitment bonuses.

The Commission discussed how the City has grown and how it is changing from a small town to a larger City. They also discussed how to build the city and retain employees and while continuing to move forward. Comments were also made on how much more the City's employees are required to do compared to other cities.

Mr. Howe reminded the Commission the City Manager's performance review is due in August. He noted they had met individually with Mr. Carrino and reviewed the next steps. He asked for direction regarding whether to continue to use the form and provide a review at a public meeting. He confirmed that the reviews would not have to be available online but they would be a public record.

Mayor Holland suggested they continue to use the current form and they also set up private one on one meetings between the Commissioners and City Manager.

Discussion was held regarding what would be a public record with Mr. Howe indicating that anything reduced to writing would be a public record but would not have to be placed on the website.

CONSENSUS: It was a consensus of the Commission to utilize the evaluation form to be submitted by the end of August, if they choose to, and to schedule the individual meetings.

1.2 Police Department

Police Chief Craig Capri commented on the great work being done by the Eustis Police Department staff. He explained how the organization structure has been modified. He stated the department is now at full staff with a waiting list of potential employees interested in working for the City. He cited the importance of the team approach and providing a positive work environment. He expressed support for the City's pay scale being in line with the Sheriff's Department.

Chief Capri reported they are outsourcing some duties, such as accreditation, to reduce costs. He commented on the department's recent accreditation and how well they rated. He further commented on the decreased crime statistics and indicated they are leveraging technology and building relationships in the community to engage the public. He stated that Eustis is the first agency in Lake County to be a part of the Real Time Crime Center to analyze crime in real time to save lives. He indicated they had hired a liaison to work with the Sheriff's Department.

Chief Capri announced the City would be moving to the County's dispatch system in April of 2024 in an effort to reduce expenses and realize some savings in 2023-2024 and in future fiscal years. He explained the County would be absorbing the City's dispatch personnel and they would also receive a raise. He stated he had explained the situation to all of the affected personnel. He indicated that it will cost the City approximately \$329,000 per year for a savings of approximately \$500,000. He indicated they would need to initially purchase a piece of equipment for approximately \$70,000. He noted the County system offers a new CAD system called Premier One and there would be a data migration expense of approximately \$60,000. He stated future cost will be approximately \$329,000 per year based on population. He cited the various benefits to the City including the reduction in cost. He assured the Commission that he had informed the staff a year in advance.

Mayor Holland asked for Chief Capri to arrange for the Commissioners a tour of the dispatch center, command center and EOC.

Mr. Carrino indicated the changeover will require official action by the City Commission which will be forthcoming.

Chief Capri commented on the expected decrease in overtime expenses due to being fully staffed. He expressed interest in creating a motorcycle unit. He indicated it would cost \$3,500 per year for two motorcycles to be leased. He stated they have a grant to cover all of the other expenses and cited various uses including parades.

Chief Capri then commented on the City's growth rate and cited the future need for additional officers. He noted there is grant funding available for salaries for additional officers which the City would have to absorb after three years. He stated they would probably need to look into that after the next fiscal year.

Mr. Carrino confirmed it was the consensus of the Commission to add the motorcy unit expense to the budget.

Chief Capri commented on the improvements to the department to change it from being a training ground for other agencies.

The Commission asked if the department will be increasing the police officer staffing at the schools with Chief Capri indicating they are adding two schools and hope to cover them all in the future. He cited the benefit to the Sheriff's Department and the City by the City taking that over.

The Commission asked about the development of the new police software application with Chief Capri responding they are utilizing seized drug money to initially fund it. He indicated that it is almost done and will cost approximately \$4,000 per year. He cited a variety of uses the residents will be able to do through the app.

Mr. Carrino commented staff has also discussed expanding the app to include the rest of the City; however, they don't want to do that until they have the Community Relations person on staff.

The Commission asked about any needs for Code Enforcement with Chief Capri reporting on recent collections of code enforcement fines. He confirmed that, at that time, they do not have a need for additional staffing. He stated it depends on how proactive the Commission wants them to be. He commented on how they have renovated the building to provide more space.

Discussion was held regarding whether or not additional Code Enforcement staff was needed. It was suggested they wait until dispatch is changed over and then to look at Code Enforcement.

The Commission asked about the City's relationship with the State Attorney's office with Chief Capri indicating they are good after some initial conflict.

Chief Capri expressed support for the Department having its own attorney that can be contacted in the middle of the night if there is an issue.

RECESS: 6:46 p.m. RECONVENE: 6:55 P.M.

1.3 Public Works

Rick Gierok, Public Works Director, presented the Public Works associated budgets. He stated they are adding five new positions with two being funded out of Water.

0014900 Maintenance Garage

Mr. Gierok stated the division is going up \$68,000. He explained that is due to Jeff Crider being promoted and the hiring of a new employee.

0014910 Building Maintenance

Mr. Gierok stated that division has gone up \$20,000. He reviewed the various increases and what is included in those line items including the following: Overtime, Repair & Maintenance and Operating Supplies.

The Commission asked about budgeting more for the Clifford Taylor House with Mr. Gierok indicating there is a significant amount of funding in the Capital Improvement Plan such as for the roof and siding.

Mr. Carrino noted that the draft budget does not include any funding for programs operations at the Clifford Taylor House. He indicated staff would probably have to bring back a budget amendment to the Commission to provide funding for that.

The Commission noted there is an issue with the second floor restroom that will have to be addressed.

Mr. Gierok commented on the funding for Employee Study for training purposes. He then reviewed the Machinery & Equipment including the piece of equipment to allow staff to access the needed lights for the pool.

0014920 Cemetery

Mr. Gierok stated the Cemetery budget has been increased \$35,000. He indicated that \$10,000 is for the hedges to be planted to begin the delineation for the estate plots. He added there is also \$18,000 for a sprayer. He noted there is additional funding in Capital for the cemetery noting specifically the planned fountain.

0014930 Park Maintenance

Mr. Gierok indicated the division is going up \$17,000 and cited increases to Overtime, Training, Maintenance and Pool Licensing.

The Commission asked about the budgeting for Massey Services and noted the American Legion being included. They questioned if that is what the City was paying prior to destruction of the American Legion building.

Mr. Gierok indicated he would look into it and make sure it went down following the destruction of the building. He then commented on the need to train an additional employee on the pool maintenance. He reviewed the funding for Operating Supplies.

The Commission asked about Communications and whether each department negotiates for their cell phones.

Mike Sheppard, Finance Director, explained that Purchasing periodically looks at what's available. He noted that some departments need different cell service depending on locations.

The Commission noted the difference in cell phone costs between different departments and indicated they previously asked for the City to look at getting a proposal for Citywide service. They emphasized the need for a cost analysis.

Fire Chief Mike Swanson explained the need for the Fire Department to be with Verizon due to CAD service.

Mr. Carrino reported that the City has a company that is auditing several City operations. He explained they work with Duke Energy on the franchise fees and utility taxes to insure that Duke Energy is paying everything they are supposed to. They are also looking at the City's banking operations to determine if the City is getting the most out of its banking and investing. He stated that he believes they are also looking at the City's cell phone usage and whether or not the City is operating efficiently in that area.

The Commission questioned how they would do that with Mr. Sheppard indicating the City is providing copies of all the City cell phone invoices.

Mr. Carrino stated he believes they are looking at whether or not the City is getting the best deal with the company it is using.

The Commission expressed concern regarding the amount of reimbursements the is paying for employees to utilize their personal phones and expressed support for staff members having a City cell phone and not doing any reimbursements.

Mr. Gierok and Jobey Jones, Public Works Superintendent, commented on the varying data usage, levels of service and options depending on position duties.

Mr. Carrino stated staff would work to consolidate and standardize cell phone plans and usage.

Mr. Gierok reviewed Operating Supplies and explained the Miscellaneous Cleanup Requests to pay for requests the department receives to do cleanups particularly as requested for County or State roads.

The Commission asked for a breakdown of what is included under Operating Supplies with Mr. Gierok responding it involves items such as weed-eaters, hand tools, shovels, etc.

0014940 Custodial

Mr. Gierok noted the addition of a new custodial position and a promotion to a lead position. He commented on the addition of \$1,000 for Overtime. He noted one of the custodial staff members was also used to drive the Parks & Rec van as well as to close up buildings for them which have been done under overtime.

0493700 Stormwater Management

Mr. Gierok indicated a decrease in Professional Services and cited the possible need for additional engineering services. He commented that flooding is one of their biggest problems resulting in phone calls.

Mr. Sheppard explained the Utilities items shown as Bad Debt.

The Commission asked about availability of a national database that would keep customers from signing up elsewhere in the country if they leave owing a bill.

Mr. Sheppard noted a previously used collections service was not very useful. He explained utility liens are presented to the Commission. He further explained how different types of liens are including in various budgets. He stated they can look into options for a database.

0493710 Street Sweeping and Drainage

Mr. Gierok cited increases for promotions in an effort to focus on higher level of support. He commented on an additional increase for Overtime to help out with events as needed. He cited a slight increase to Vehicle Maintenance due to the division having older vehicles.

0134100 Streets: Administration Public Works

The Commission asked about the street sweeping for Umatilla with Mr. Gierok explaining there has been a decrease due to lack of need for dirt roads. He indicated the Umatilla sweeping is done just once a month and Eustis streets are covered every five weeks. He commented on the option of not doing Umatilla streets.

Discussion was held regarding discontinuing the sweeping of the Umatilla streets.

Mr. Jones commented on the multi-tasking of street sweepers and their roles.

Mr. Carrino indicated that Umatilla stormwater requires them to do the street sweep

Mr. Gierok indicated he would review the contract and bring it back to the Commission. He also directed Mr. Jones to review when certain streets are swept.

0493720 Retrofit Projects

Mr. Gierok indicated those are capital projects that are budgeted out. He stated \$220,000 has been budgeted for culvert replacements and explained the need. He then cited funding for projects identified in the stormwater master plan.

0134100 Administration (Street Fund)

Mr. Sheppard explained this fund is funded through gas tax, General Fund and some transfers from the 49 Stormwater Fund. He cited the possibility the City will have to supplement this fund more in the coming year.

Mr. Gierok explained that Jobey Jones' salary is split between Storm and Streets so the rest of his raise is included in the account. He also cited a purchase for a new copier budgeted under Machinery and Equipment.

0134110 Public Land

Mr. Gierok cited two promotions. He noted an increase due to overtime for events. He stated Other Contractual went up \$2,000 due to asphalt for road repairs. He added \$20,000 is budgeted for Repairs and Maintenance and cited fencing needed for the David Walker site which has storage for millings, concrete crushing, etc. He noted the need to mitigate the issues due to residences to be constructed in the immediate area. He explained the purpose of the concrete crushing to be used for road base which reduces expenses for disposing of concrete as well as reducing the cost for purchasing base.

The Commission asked if concrete crushing could be done before homes are built on the nearby development site with Mr. Gierok indicating he could look at moving up the next scheduled crushing.

The Commission questioned whether or not the yard could be relocated with Mr. Gierok indicating he could look at that after they crush what is already on hand. He emphasized the need for the fence barrier.

0134120 Signage

Mr. Gierok noted the signs the department prepared for the Events Department. He indicated the need to transfer \$16,000 to that account due to the cost of utilizing the new printer. He emphasized the need to keep up with signage demands. He stated the City has prepared a full GIS database on all of the City's street signage. He commented on the funding to replace signs that have been identified as needing replacement due to reflectivity. He stated staff has gone through and reviewed all of the signs at night and now there are thousands of signs needing replacement. He said previously they only reacted to incidents and now they are being proactive. He indicated they are asking for more funding and more people. He stated the City is now fabricating all of the City's signs with the equipment purchased the previous year.

Mr. Gierok then reported on the increase in Other Contractual of \$5,000. He explained that the City gets reimbursed by the State of Florida for traffic signals but not for all of

it. He noted that Lake County maintains the traffic signals and the City pays some the County for that. He explained how damage from accidents is processed.

Mr. Gierok then reported that Lake County is going to be maintaining the school zone signs that are being installed. He explained they will actually flash when it is a school zone and everything will be cloud based.

The Commission asked if they would be doing the school zone signs at the same time they redo the Orange Avenue school zone crosswalk with Mr. Gierok indicating he would contact them to find out.

Mr. Gierok stated that Utility Services went up \$15,000 due to additional lighting installed on SR 19 towards 452. He commented on how much better the lighting is. He cited the areas that the City pays for.

Commissioner Cobb indicated she took someone from Duke Energy on a field trip to see how dark the roads are and issues with some of the poles.

0134130 Street Maintenance and Construction

Mr. Gierok stated this division will have two promotions and commented on the increased responsibility for those positions. He noted the increase in Overtime specifically citing the increase to assist with events.

0134140 Mowing

Mr. Gierok again cited the increase in Overtime and in Jobey Jones' salary.

The Commission asked how much mowing time is spent in the parks with Mr. Jones providing an overview of the number of personnel and amount of time each park takes to mow.

The Commission questioned why the parks mowing is under Public Works instead of Parks and Recreation with Mr. Gierok explaining that was done approximately ten years ago and he wasn't sure about the reasoning. He noted that the personnel don't just mow the parks, they do other things as well.

Mr. Carrino explained the move helped to remove some of the duplication of services and equipment.

Discussion was held regarding moving the parks with the game fields back to Parks and Recreation to streamline some of the work.

Trees

Mr. Gierok noted there were no changes to the tree budget.

1.4 Other Business

Commissioner Ashcraft asked about the feasibility study for trails with Commissioner Cobb stating she previously asked the City to budget \$25,000 for that and then, after she became a Commissioner, she asked for another \$25,000. She emphasized that the City will need to budget funds for the PD&E study.

Mr. Carrino responded that he would look into that and stating that, at one point in a previous budget, there was \$25,000 budgeted.

Commissioner Hawkins asked about preparations for the Amazing Race after 2024.

Mr. Carrino responded that 2024 will still be run by Tim Totten and his group so they will need to budget for 2025. He noted another staff member has been budgeted for Events and Tourism. He acknowledged that the City needs to have someone work with Tim Totten for the 2024 event and indicated that a decision has not yet been made regarding which staff member will be responsible for the Amazing Race.

Mayor Holland reported that he was contacted by Tim Totten the day before and he requested to begin the conversation. He indicated his idea that the event should be divided between Events and Tourism and Parks and Recreation. He suggested they might want to discuss it in a workshop.

Commissioner Ashcraft asked about the Car Show.

The Commission discussed exploring options for the Car Show expenses, sponsorship, and support for the event. It was suggested that the organizers need to do more to fund the event. The Commission expressed support for the show but reluctance to continue to provide funding to the extent it has been done. It was noted that there are no other outside events that the City supports financially like that. Questions were raised concerning how much money is raised by sponsorships versus how much is spent on the prizes.

Commissioner Ashcraft commented on his discussions with downtown merchants regarding the event. He stated that the majority of the merchants do not feel the event helps their business. He emphasized if they want to continue doing the event, they need to bear some of the costs.

Commissioner Hawkins asked if it would help if the City asked them to start later with the rest of the Commissioners indicating that has been requested but with no cooperation.

Craig Dolan, Parks and Recreation Director, commented that he does not see the participants in the local restaurants or stores. It was noted that the participants bring their own food and drinks in coolers.

Mr. Carrino asked if the Commission wants to tell the Car Show they cannot hold the event anymore or tell them the City will no longer financially support the event.

The Commission indicated the event is OK but the City will no longer financially support it.

Discussion was held regarding the possibility of them relocating to the fairgrounds or to Ferran Park with participants to be parked in the parking areas not on the grass. It was noted there are bathrooms available so port-o-lets won't be necessary. It was also noted the City could continue to do the posters. It was also noted they would need to pay for any police assistance.

Mr. Carrino confirmed that the next few months would be a transition time with them to be relocated to Ferran Park by October and there would be no further funding as of October except for the marketing. It was determined that Ferran Park Drive would also be utilized and would be closed to traffic.

Mr. Carrino noted he had provided an updated summary sheet and cited an increase to Revenues due to addition of the half cent sales tax bringing the Revenues over Expenses to \$794,000. He indicated staff would be updating based on discussion at that night's workshop. He asked they take with them the most recently updated

worksheets. He stated that every one percent in salary increases impacts the General Fund by \$130,000 and all funds by \$180,000. He indicated the other sheet provides an analysis of various tax rates. He stated that to go to the full rollback rate would impact the budget by \$800,000 but would only reduce a taxpayer's liability by about \$6 per month. He added that 1/10 of 1 mill reduction would reduce revenues by \$142,000 in the General Fund and a full mill is \$1.4 million. He stated those items would need to be discussed at a future meeting.

Mr. Carrino noted that the City rented a parade float for the 2023 Georgefest for the Commission at a cost of \$1,800. He asked if they wanted to add that to next year's budget in the amount of \$2,000. It was a consensus to add that to the budget.

Mr. Carrino asked about the Events budget for rental of holiday decorations. He stated the City pays \$80,000 for the holiday decorations. He cited the need to have commercial quality decorations but the current vendor has indicated there will be some cost increases. He indicated he would be bringing forward a request for some additional funding to improve the holiday decorations. He added that everything is rented except for the lights on the downtown trees.

The Commission commented on the lighted arches and other figures used in past years with Mr. Carrino indicating the arches were not done due to the widening of the sidewalks.

The Commission expressed dismay about the loss of the figures and "Season's Greetings" lightings.

Mr. Carrino commented on increased vendor costs for some of the decorations and indicated they could check on what could be done. He stated Clark's is the current vendor and noted they get a good deal for them as the City agrees to be done as available between them doing other cities. He indicated staff would look at other vendors as well.

Mayor Holland asked staff to contact the downtown merchants about the removal of the downtown lights to allow for the tree trimming.

Mr. Sheppard reported on the upcoming painting of City Hall and awning installation.

Mayor Holland instructed the department heads to contact the City Manager regarding any additional needs.

Mr. Carrino commented on the new Economic Development positions and indicated there would also be an additional position in Development Services and they were developing the job description and doing point factoring to determine the appropriate salary level.

Mayor Holland asked for Chief Capri to provide information to the Commission regarding the Safer Grant program. He commented on the upcoming growth that should allow the City to sustain such a grant. He recommended that Chief Swanson also bring forward information.

Commissioner Cobb asked if the Fire Department would have room for three additional positions with Fire Chief Mike Swanson responding they could probably use bunk beds to make it work. He further discussed their space issues.

2. ADJOURNMENT: 8:34 P.M.

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

Item 2.1

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner



MINUTES

City Commission Meeting

6:00 PM – Thursday, September 07, 2023 – City Hall

INVOCATION: PASTOR RICHARD KING, ST. JAMES AME CHURCH

PLEDGE OF ALLEGIANCE: COMMISSIONER GARY ASHCRAFT

CALL TO ORDER: 6:03 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

Present: Mr. Gary Ashcraft, Ms. Nan Cobb, Mr. Willie Hawkins, Vice Chair Emily Lee and Chairman Michael Holland

1. AGENDA UPDATE

Tom Carrino, City Manager, requested to move Resolution Number 23-79 to the first item under Section #6 (Public Hearings.)

2. APPROVAL OF MINUTES

2.1 Approval of Minutes

July 11, 2023 City Commission Budget Workshop
August 17, 2023 City Commission Meeting

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

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

3. PRESENTATIONS

3.1 Dolly Parton Imagination Library of Lake County, Florida

Debi Weinert from Triangle Community Alliance, Inc., a community partner with the Dollywood Foundation, presented the Dolly Parton Imagination Library of Lake County, Florida. She commented on data compiled from the 2020 Census Lake County and noted stipulations for a minimum of one year funding with a promise or knowledge of future funding. She explained how the program works and the requirement that the children live within the subject zip code. She then reviewed the Alliance's next steps. She stated that she began the program in Tavares and reviewed her progress in enrolling children in Tavares.

The Commission asked what the estimated monthly budget would be with Ms. Weinert stating it would depend on the Commission. If they pick one or both Eustis zip codes, they could place a cap and see how quickly it fills up. The cost per year would be \$32 times the number of children.

The Commission asked if they have the ability to allow people to contribute on a monthly basis with Ms. Weinert responding negatively. She commented on how funds could be raised. She indicated that the Alliance needs confirmation of funding for the second year as well. It was suggested that a "donate now" button could be placed on the website.

Ms. Weinert cited expenses that would need to be charged to all of the participating cities as copying and printing. She asked about the Commission's ability to provide funding with Mayor Holland asking that each Commissioner contact the City Manager individually to discuss that and the City Manager would then contact her.

3.2 Dark Skies

Marty Proctor, Dark Sky advocate from Groveland, presented the Dark Sky initiative in an effort to save dark skies in Lake County. He commented on the efforts to promote adoption of local ordinances that follow the Dark Sky protections. Mr. Proctor remarked that light pollution is increasing at a rate of 2% per year. He cited the issues with light pollution including glow (dome of brightness), glare (blinding light) and trespass (property rights) and commented on solutions, including better fixture design, modern lighting control and proper color protection. He stated that LED streetlights are one of the worst problems.

Mr. Proctor then reviewed nature issues created by light pollution including tree budding which affects pollinators, bird migration and attraction of insects and their predators. He explained how more lighting is not actually safer due to glare. He cited various light pollution solutions including motion sensors and dimmers, shielding, color temperature, intensity and timing.

Mr. Proctor reviewed the history of dark sky programs and explained what is available through the local electric companies. He also cited products available at the local home improvement stores which are labeled "dark sky approved". He commented on Groveland's ordinance and the need for an ordinance to be legal and enforceable. He cited publicity concerning Groveland's Dark Sky Lighting Ordinance and the city becoming a Dark Sky Community.

The Commissioners asked about Groveland's efforts to promote compliance within previous developments and the cost of the lighting in comparison to traditional lighting options.

Mr. Proctor responded there is a timeline for compliance with five years for commercial and ten years for residential. He explained that most of the lighting fixtures fail within five to ten years and they will be required to be brought into compliance when they fail. Regarding the cost, Mr. Proctor stated he did not have specific information; however, in general, the price of the fixture itself is small compared to the cost of installation and the pole.

The Commission asked if Duke Energy has them readily available with Mr. Proctor responding affirmatively. He noted that Florida DOT also has them.

The Commission asked if he has presented to the Lake County Commission with Mr. Proctor responding that he has spoken with them individually but he has not presented to them. He indicated his belief that local government is more important for the issue than the county.

3.3 Carver Park Basketball Shade Structure

Craig Dolan, Parks and Recreation Director, explained the Carver Park Basketball Courts Shade Structure project. He provided an aerial view of the location as well as a view from the north, the conceptual design and examples of structures. He stated that currently both courts are lighted and lighting can be added or moved. He commented that fans could also be added. He then reviewed the potential costs and various options with costs ranging from \$120,000 for the building alone without installation to \$390,000 for a turn key situation.

The Commission asked about expenses, safety of the uprights, padding protection around the uprights and additional lighting costs.

Mr. Dolan responded that the courts are currently lighted from dusk to 10 p.m. so expenses for lighting usage would be similar.

Mr. Carrino confirmed that the padding around the uprights would be an additional cost with Mr. Dolan indicating it wouldn't be a significant increase.

Discussion was held regarding the fans with Mr. Dolan confirming that the \$390,000 cost includes lighting and fans.

4. AUDIENCE TO BE HEARD

Robert Rude addressed the Commission regarding a meeting held at Sharps Mobile Home Park the previous day. He stated that the owners have informed the residents that the City is fining them and they are going to pass those costs on to the residents. He also stated that they have sent a number of emails to the City Attorney and City Manager and the City has not responded. He indicated they said they have offered to do over and above the code violations but the fines are continuing to accrue.

Mr. Rude stated that he addressed the issue with the company and convinced them to let him take over the project. He said he met with Eric Martin who told him he was not in a position to tell them what to do to make it right. Mr. Rude said he told Mr. Martin they want to repave the whole place and was told that Mr. Martin couldn't give him a permit to do that. He further commented on the lack of response from the City regarding the code enforcement issues. He stated his belief that the City wants to continue to fine them so the City can take over the property.

Sasha Garcia, City Attorney, stated the City is in current litigation with Sharps and, therefore, cannot speak on the issue. She stated he is welcome to check the public record regarding the litigation.

Jane Hepting addressed the Commission regarding whether or not annexations are good for the City. She urged the Commission to contact Strong Towns to assist with a cost benefit analysis regarding urban development. She further recommended that the Commission and concerned residents attend workshops to be presented by the East Central Florida Regional Planning Council on November 1st. She also recommended that the City invite the East Central Florida Regional Planning Council to meet and discuss amending the City's Joint Planning Area agreement. She cited other Lake County cities in the process of amending their JPA's.

Bryan Broomfield commented on the August Fest event hosted on August 26th by St. James AME Church to attempt to bridge the gap and strengthen relationships between the City and community. He thanked all of the agencies that participated in the event. He noted that it was free to everyone that attended. He commented on a tragic event that occurred in Jacksonville the same day. He encouraged all of the City officials to attend any future events and cited the moral and social responsibility of all to work together.

Pastor Richard King, St. James A.M.E. Church, thanked the Mayor, Commissioners and others for their participation in August Fest and their efforts to work with the community. He stated he looks forward to working with all of them to make a difference.

Eileen Fontaine commented on the Sharps Park issues being addressed by the City and thanked the City for their assistance with the improvements being completed. She indicated a lot has been accomplished.

Amy Baker commented on the Sharps Park Town Hall meeting with owner Hansel Rodriguez. She cited 54 code violations in Sharps Circle and resolution of those issues. She indicated that 53 of the 54 violations have been brought into compliance. She stated the 54th violation is the roads. She noted frustration with the City Commission and expressed concern regarding

Code Enforcement's actions. She emphasized that the residents want the park to stay a expressed concern that the City is no longer behind the residents.

Mayor Holland suggested Ms. Baker communicate with the City Attorney regarding the issues.

5. **CONSENT AGENDA**

5.1 Resolution Number 23-80: GIS On-Call Services Contract Amendment #2

5.2 Resolution Number 23-81: Release of Lien for 432 N Eustis Street

Motion made by Commissioner Cobb, Seconded by Commissioner Hawkins, 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

6. **ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS**

6.1 Resolution Number 23-79: City and LSSC Education Development Agreement First Amendment

Attorney Garcia announced Resolution Number 23-79: A Resolution of the City Commission of the City of Eustis, Lake County, Florida; approving the first amendment to the Educational Development Agreement between the City of Eustis and Lake-Sumter State College Foundation, Inc., and the District Board of Trustees of Lake-Sumter State College concerning the conveyance of a four-acre parcel of City-owned property to build a commercial driver's license and utility lineworker training facility; authorizing the City Manager to execute all necessary documents associated therewith; and providing for an effective date.

Al Latimer, Economic Development Director, reviewed the proposed six amendments as follows: 1) The College will, in writing, request City approval for an alternate educational use of the property; 2) All notes shall be sent in writing via certified mail; 3) Extending the closing date for the property but not later than September 21, 2023; 4) Property will be conveyed to Lake-Sumter State College, not the College's Foundation; 5) The College will not transfer the property without written approval of the City; and the reversionary language revision will be included in the deed; and 6) If the College fails to comply with any terms of the agreement, then the property will revert to the City. He stated staff's recommendation for approval.

Mayor Holland thanked staff and Dr. Bigard for their work on the agreement.

The Commission asked if the agreement would prohibit the College from using the property as collateral for financing with Attorney Garcia responding there is language in the agreement to allow the College to obtain funding and grants.

Attorney Garcia opened the public hearing at 6:59 p.m. There being no public comment, the hearing was closed at 7:00 p.m.

Motion made by Commissioner Cobb, Seconded by Vice Mayor Lee, to approve Resolution Number 23-79. The motion passed on the following vote:

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

6.2 SECOND READING

Ordinance Number 23-22: Conditional Use Permit for an Accessory Dwelling Unit at 34534 Estes Road

Attorney Garcia, read the Ordinance Number 23-22 by title on second and final reading: Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving a conditional use permit for an accessory dwelling unit to an existing single-family residence in the Rural Residential (RR) future land use district on approximately 1.0 acres located at 34534 Estes Rd (Alternate Key Number 1461600).

Attorney Garcia opened the public hearing at 7:01 p.m. There being no public comment, the hearing was closed at 7:01 p.m.

Motion made by Commissioner Cobb, Seconded by Commissioner Ashcraft, to adopt Ordinance Number 23-22 on final reading. The motion passed on the following vote:

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

6.3 FIRST READING

Ordinance Numbers 23-15, 23-16 and 23-17: Explanation of Ordinances for Annexation of Parcels with Alternate Key 1213177

- Ordinance Number 23-15 – Voluntary Annexation*
- Ordinance Number 23-16 – Comprehensive Plan Amendment*
- Ordinance Number 23-17 – Design District Assignment*

Attorney Garcia read Ordinance Number 23-15 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 4.63 acres of real property at Alternate Key Number 1213177, generally located at the northeast corner of CR44 at the intersection with South Fishcamp Road.

Jeff Richardson, Deputy Director Development Services, presented proposed Ordinance Numbers 23-15, 23-16 and 23-17 for the annexation, future land use assignment and design district assignment for property located at County Road 44, at South Fish Camp Road (Alternate Key Number 1213177). He reviewed the request and explained staff's review of the annexation and affiliated future land use and design district designations. He indicated the current future land use designation is Urban Low in Lake County which allows up to four dwelling units per acre and limited commercial uses. He explained the proposed land use designation of Mixed Commercial would allow up to 12 dwelling units per acre, single family, office and commercial and is intended as a mixed use district. He stated the request is in keeping with the surrounding future land uses and is compatible.

Mr. Richardson explained staff's review as it pertains to utilities, natural environmental features, transportation, recharge areas, and soil types. He stated the requested design district is Suburban Corridor which is what the properties directly to the east and south are also assigned. He confirmed the notices, mailings and signage were done as required. He stated staff's recommendation for approval.

Attorney Garcia opened the public hearing at 7:07 p.m.

Ryan Solstice, LPG Urban and Regional Planners, was present representing the applicant. He stated he has the conceptual plan and met with Seth Lynch at Lake County Public Works. He confirmed they would be dedicating 21 feet of right-of-way on South Fishcamp Road to improve the intersection as well as 16 feet of right-of-way on CR44. He explained that what is being proposed is the outdoor sale of sheds as well as indoor RV and boat storage.

The Commission asked where the access would be located with Mr. Solstice responding it will be off of Fishcamp Road. He reviewed the access location as it relates to the Dollar General.

The Commission asked about the resident that lives on the upper left with Mr. Solstice responding they will be providing a ten-foot buffer with a six-foot fence.

There being no further public comment, the hearing was closed at 7:09 p.m.

Motion made by Commissioner Ashcraft, Seconded by Commissioner Hawkins, to approve Ordinance Number 23-15 on first reading. The motion passed on the following vote:

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

6.4 FIRST READING

Ordinance Number 23-16: Comprehensive Plan Amendment - Future Land Use

Attorney Garcia read Ordinance Number 23-16 on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187 F.S.; changing the future land use designation of approximately 4.63 acres of real property at Alternate Key Number 1213177, generally located at the northeast corner of CR 44 at the intersection with South Fishcamp Road, from Urban Low in Lake County to Mixed Commercial Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 7:10 p.m. There being no public comment, the public hearing was closed at 7:11 p.m.

Motion made by Commissioner Hawkins, Seconded by Commissioner Ashcraft, to approve Ordinance Number 23-16 on first reading. The motion passed on the following vote:

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

6.5 FIRST READING

Ordinance Number 23-17: Design District Designation

Attorney Garcia read Ordinance Number 23-17 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Corridor design district designation to approximately 4.63 acres of recently annexed real property at Alternate Key Number 1213177, generally located at the northeast corner of CR 44 at the intersection with South Fishcamp Road.

Attorney Garcia opened the public hearing at 7:11 p.m. There being no public comment, the hearing was closed at 7:11 p.m.

Motion made by Commissioner Hawkins, Seconded by Commissioner Cobb, to approve Ordinance Number 23-17 on first reading. The motion passed on the following vote:

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

6.6 Resolution Number 23-75: FY 2024 Tentative Millage Hearing

Attorney Garcia announced Resolution Number 23-75: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the tentative millage level of ad valorem taxes for the City of Eustis, Lake County, for the Fiscal Year 2023-2024, providing for an effective date.

Mike Sheppard, Finance Director, presented a general overview of the remaining budget process for 2023-2024 and the budget methodology for the General Fund Budget Summary. He reviewed the budget's significant factors including the following: 1) Increase in health insurance cost by 6.75%; 2) 5% COLA plus \$1,000 in salary increases in order to implement the \$15 minimum wage; 3) Estimated state shared revenues; 4) Property insurance and worker's compensation increase of 8.59%; 5) Fire Pension contribution decreased by .7% and the Police Pension contribution increased by .86%; 6) Numerous promotions and new positions in Public Works; 7) New position in Fire Department; and 8) new Finance Director.

Mr. Sheppard explained the Capital Improvement Fund is funded by the One Cent Sales Tax shared with Lake County and the School Board. He then reviewed Total Revenues noting that charges for services is the highest with the second largest being ad valorem revenue. He provided a breakdown of the revenues for the General Fund and an overview of the General Fund expenditures.

Mr. Sheppard then provided a review of the Community Redevelopment Agency budget. He stated the City is proposing a millage rate of 7.581 which is the same as the previous year. He explained they are budgeting at 95% for a total ad valorem budgeted of \$10,213,000. He indicated that the City will receive approximately \$1 million more in revenues in the next fiscal year.

Mr. Sheppard explained how the millage rate versus the roll back rate would affect a property owner with a home valued at \$200,000 and reviewed how property taxes are calculated. He then showed the impact of one mil on the General Fund. He provided a comparison of the various cities' millage rates and explained the functional millage rate. He noted other cities also have other charges including fire assessment fees and other utilities that the City does not have.

Mr. Carrino explained that, while the City has the highest millage rate, it does not have separate charges for fire assessment and has the lowest transfer from the utility fund which results in the City having the lowest functional millage rate.

Mr. Sheppard provided an overview of the past ten years change in taxable value. He provided a comparison of per capita expenditures which shows the City has the lowest per capita in expenditures.

Mr. Carrino commented on how much the City provides to the residents for a very reasonable cost.

Attorney Garcia opened the public hearing at 7:26 p.m. There being no public comment, the hearing was closed at 7:26 p.m.

Mr. Sheppard summarized that they are proposing a tentative millage rate of 7.581, which is greater than the rolled-back rate of 7.0158 mils and increases taxes by 9.3%.

Mr. Carrino explained that the City is keeping the millage rate steady as it has for the past nine years; however, pursuant to state law it must be advertised as a tax increase.

Motion made by Commissioner Hawkins, Seconded by Commissioner Ashcraft, to approve Resolution Number 23-75 setting the tentative millage rate at 7.5810. The motion passed on the following vote:

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

Attorney Garcia announced Resolution Number 23-76: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the tentative budget for the Fiscal Year 2023-2024, providing for an effective date.

Mr. Sheppard presented the tentative budget. He stated the surplus in the General Fund will be approximately \$432,000. He noted there are some funds in the current year are spending more than the revenue that is derived. He explained those funds are intended to get the money in and spend it out and are allowed to have negative expenditures for the fiscal year as long as there are funds in Fund Balance. He stated the tentative budget is based on the tentative millage rate of 7.581.

Attorney Garcia opened the public hearing at 7:28 p.m. There being no public comment, the hearing was closed at 7:28 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Hawkins, to approve Resolution Number 23-76 adopting the tentative budget. The motion passed on the following vote:

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

Mayor Holland explained for the public the number of workshops the Commission held to review the millage rate and budget. He thanked Mr. Sheppard for his work on the budget.

7. OTHER BUSINESS: None

8. FUTURE AGENDA ITEMS

9. COMMENTS

9.1 City Commission

Commissioner Hawkins reminded everyone about the Panther Pride in the Park event and encouraged them to participate and/or donate.

Mayor Holland commented on the deficits with the athletic equipment at Eustis High School. He urged everyone, if they cannot attend the event, please make a donation to the high school athletic program.

At a request from the audience, Commissioner Hawkins explained they are needing to raise at least \$25 - \$30,000 and hope to raise more.

Commissioner Hawkins commented on the upcoming Comedy Show and introduced Darius Kerrison.

Mr. Kerrison stated the 8th anniversary of the Laugh Out Loud Comedy event would be held in Ferran Park on September 9, 2023. He thanked the City and Parks and Recreation for their partnership and cited some of the performers.

Commissioner Hawkins thanked Commissioner Ashcraft for his efforts to obtain a significant donation for the Panther Pride program. He then announced he would not be attending the next Commission meeting. He noted that Tom Carrino has been the City Manager for almost two years. He asked to have a conversation regarding a pay increase for Mr. Carrino and expressed his support for an increase in his compensation.

Mayor Holland asked the rest of the Commission to discuss that with the Human Resources Director Bill Howe regarding how much they think would be appropriate and then it could be discussed on the 21st.

Vice Mayor Lee thanked Pastor King for the August Fest event and encouraged them to continue those events. She expressed support for the City being a part of those events. She agreed with Commissioner Hawkins regarding a salary increase for the City Manager.

Commissioner Ashcraft asked to have a discussion regarding the investment of the City's reserve funds. He noted that he is continuing to receive comments regarding the City's development and, in particular, the densities. He asked to have discussion regarding development and densities.

Commissioner Cobb mentioned she had already reached out to the Development Services Director Mike Lane. She commented that the City has a density designation of up to 5 units per acre. She stated she asked him to do a comparison with other area large cities and their suburban residential densities as well as their standard lot sizes. She expressed agreement with considering amending the City's densities.

Commissioner Cobb reported she contacted Nancy Dodd with Duke Energy regarding deficiencies in the City's streetlighting. She stated that Ms. Dodd contacted their lighting specialist and noted that the police department does report lights that have gone out. She indicated her concern was with crooked poles and confirmed that Duke is working on the problem.

Commissioner Cobb questioned whether or not staff is working on the issue of City property located to the east that has an alternate key number that crosses the road.

Mr. Carrino reported that staff is working on it and indicated that Project Manager Mike Brisson has surveying skills and is working to resolve the issue.

Commissioner Cobb commented on her attendance at August Fest and complimented the church and Pastor King on the event. She reported on her attendance at various events including the bear-proofing trash can event and the Eustis Junior Panthers game.

9.2 City Manager

Mr. Carrino thanked Florida Fish and Wildlife and Commissioner Hawkins for their assistance with the bear-proofing event. He thanked staff and the Commission for their involvement in the budget process and cited the four budget workshops.

9.3 City Attorney: None

9.4 Mayor

Mayor Holland announced the upcoming 9/11 remembrance service in Tavares at the historical courthouse. He noted the Eustis Panthers would play the Tavares Bulldogs in Tavares on Friday. He reminded the Commission about the evaluation forms for the City Manager. He indicated they do not have to complete the forms if they do not want to but if they want to they need to be in by the following Wednesday. He noted they also have forms for the City Attorney and those need to be submitted as well.

Mayor Holland then asked the Commission to combine the December meetings and only hold one meeting that month on December 14th.

CONSENSUS: It was a consensus of the Commission to combine the two December meetings into one to be held on December 14th.

Mayor Holland thanked everyone for attending, stated his pride in the Commission and expressed congratulations to Lake Sumter State College.

10. ADJOURNMENT: 7:49 P.M.

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

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: SEPTEMBER 21, 2023

RE: RECOGNITION OF FLORIDA FESTIALS AND EVENTS
SUNSATONAL AWARDS RECEIVED BY THE CITY OF EUSTIS

Background:

The Florida Festivals & Events Association (FFEA) recently announced the winners of its annual Sunsational Awards during their 29th annual convention and tradeshow in Orlando, Florida. The Program recognizes members' innovation, individuality and creative collaboration.

The City of Eustis' Events and Tourism Department was proudly recognized in multiple categories:

- 1st Place – Georgefest T-Shirt Design**
- 1st Place – Eustis MusicFest T-Shirt Design**
- 1st Place – Snowflakes by the Lake Advertising Banners**
- 2nd Place - Georgefest Educational Programming**
- 2nd Place – Georgefest Emergency Action Plan**
- 2nd Place – Eustis First Fridays Advertising Poster**
- 3rd Place - Georgefest Advertising Banners**
- 3rd Place – Georgefest Tickets & Invitations**
- 3rd Place – Snowflakes by the Lake Photography**

The Events and Tourism Department would also like to recognize the Eustis Police and Fire Departments for their leadership on the Georgefest Emergency Action Plan.

Prepared By:

Tom Carrino, City Manager



City of Eustis

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

TO: EUSTIS CITY COMMISSION
FROM: TOM CARRINO, CITY MANAGER
DATE: SEPTEMBER 21, 2023
RE: ORGANIZATIONAL AND EVENT SUPPORT GRANT TO THE PAWS
THERAPY DOGS, INC

Introduction

The purpose of this presentation is to reimburse Paws Therapy Dogs, Inc. for a previously awarded grant from the City of Eustis in the amount of \$1,500.

Recommended Action

Staff is requesting authorization to reimburse Paws Therapy Dogs, Inc. for previously approved grant expenses.

Background

The City Commission approved Organizational and Event Grants, including \$1,500 for Paws Therapy Dogs, on March 6, 2023. The organization has completed the requirements of the grant, and they have presented the city with receipts for grant related expenses.

The invoices have been reviewed and matched to the spreadsheet provided. The total offered for expenditures was \$1,674.39. All expenses were incurred during the Fiscal Year 2022-23.

Prepared By: Mike Sheppard, Finance Director

Paws Therapy Dogs, Inc. Receipts are being given out under separate cover.



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: September 21, 2023

RE: Resolution Number 23-83: Bid Award for Construction Services for the Coolidge Street Utility Improvements Project

Introduction:

Resolution Number 23-83 awards Bid Number 011-23 to Cathcart Construction Company of Winter Springs, Florida, for the Coolidge Street Utility Improvements Construction, authorizes the City Manager to execute all agreements and contracts according to the contract documents, and authorizes budget amendments and transfers to complete the project.

Background:

Coolidge Street is a non-continuous road between Bates Avenue and Getford Road. The City has limited utilities along this route consisting of a 6-inch diameter PVC water main along the Coolidge Street corridor from Suanee Avenue to Virginia Avenue. Additionally, some of the cross streets are served by 2-inch diameter polyethylene or galvanized water service. From a wastewater perspective, the homes in this neighborhood are served by septic systems. The City desires to improve the utility services along Coolidge Street while adding the looped system expansion as previously identified in the Sewer Master Plan prepared in 2012.

Through our Continuing Professional Services Contract, procured under RFQ #002-18, Resolution 22-39 employed Wright-Pierce Engineering to design these utility upgrades along the Coolidge Street corridor. The Engineering Design phase of this project is now completed and we are at the Bidding Phase of this project.

The City's Purchasing Department issued an RFQ through Bid Number 011-23 with the following Scope of Work:

The scope of work includes, not limited to, a new sewer system of gravity sewers, sewer manhole and a new water system. The sewer system effort will include the removal and disposal or abandonment of existing sewer or combination manholes, sewers and laterals; as well as, existing flow management and bypass pumping for installation of new sanitary sewer pipes, manholes and laterals. The work included for the water system will consist of water mains, valves and hydrants, hydraulically-

operated control valve and concrete vault structures, disinfection of water mains and appurtenances, removal and disposal or abandonment of existing water main; valves and services, as well as, providing a temporary water service system. Moreover, the scope of work will require testing of sanitary sewers, water mains, valves and manholes for proper installation and performance. All related site work will include trench excavation, ledge excavation, groundwater dewatering, disposal of excess excavated materials, filter fabric, bedding, backfill, compaction, road/drive subbase, paving, loam/seed and landscaping, and other miscellaneous work shown in the Specifications for a complete and operational system. The scope of work for this project will also include other miscellaneous work, as shown in the Specifications for a complete and operational system.

On August 24th, 2023, the Purchasing Department received five (5) bids for this project. The prices ranged from \$3,880,450 up to \$5,475,941. Of those five applications, Cathcart Construction Company of Winter Springs, Florida offered to perform this Scope of Work for the Lump Sum Agreement of \$3,880,450. The Work will be substantially completed on or before 300 days from NTP, and completed and ready for final payment in accordance with the General Conditions on or before 330 days from NTP.

Budget/Staff Impact:

The proposed FY23-24 CIP has a budget total of \$2,800,000 as follows:

- 042-8600-533-65-83 Coolidge Water Main Expansion \$1,000,000
- 042-8600-535-66-46 Coolidge Sewer Main Expansion \$1,800,000

There is a budget deficit of \$1,080,448. Staff is requesting budget transfers from both the Water Impact Fee Fund Balance (065) and the Sewer Impact Fee Fund Balance (066) to cover the associated cost of this construction project.

Account	Budget Amount	Transfer from Fund	Transfer Amount	Revised Budget
042-8600-533-65-83	\$1,000,000	065	\$940,225	\$1,940,225
042-8600-535-66-46	\$1,800,000	066	\$140,225	\$1,940,225

The budget transfers requested above will result in a total project budget of \$3,880,450 split evenly between the water and sewer funds.

Prepared By:

Sally Mayer, Administrative Assistant – Public Utilities

Reviewed By:

Rick Gierok, Director of Public Works – City Engineer

Attachments:

- Resolution Number 23-83
- Upon Request: Cathcart Construction Company’s Proposal for Coolidge Street Utility Improvements

RESOLUTION NUMBER 23-83

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING A PURCHASE IN EXCESS OF \$50,000 FOR THE COOLIDGE STREET UTILITY IMPROVEMENTS CONSTRUCTION; AUTHORIZING REQUESTED BUDGET TRANSFERS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL AGREEMENTS AND CONTRACTS WITH CATHCART CONSTRUCTION COMPANY.

WHEREAS, the City desires to improve the utility services in the eastern area of Eustis; and

WHEREAS, the City needs to install an 8-inch diameter water main and 15-inch diameter gravity sewer and manholes to ensure forecasted future capacity requirements; and

WHEREAS, the City received five (5) bids for the construction of this project; and

WHEREAS, Cathcart Construction Company of Winter Springs, Florida submitted the lowest bid to perform construction services for the Coolidge Street Utility Improvements Project for the lump sum amount of \$3,880,450; and

WHEREAS, the City’s approved 2023-2024 Budget includes \$2,800,000 for the purchase of construction services for the Coolidge Street Utility Improvements Project; and

WHEREAS, Staff is requesting two (2) budget transfers to cover the associated cost of this construction project; and

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

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

- (1) The City Commission hereby authorizes the City Manager to execute all agreements with Cathcart Construction Company for the approved purchase; and
- (2) The City Manager is hereby authorized to approve a purchase in excess of \$50,000 for the procurement of construction services for the Coolidge Street Utility Improvements Project utilizing budgeted funds from account numbers 042-8600-533-65-83 and 042-8600-535-66-46; and
- (3) Authorizes the Finance Department to perform the requested budget transfers:

Account	Budget Amount	Transfer from Fund	Transfer Amount
042-8600-533-65-83	\$1,000,000	065	\$940,225
042-8600-535-66-46	\$1,800,000	066	\$140,225
- (4) The Purchasing Department is hereby authorized to complete the transaction in accordance with this resolution; and
- (5) That this resolution shall become effective immediately upon passing.

DONE AND RESOLVED, this 21st day of September, 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, by means of physical presence, this 21st day of September, 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 23-83 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk



TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: September 21, 2023

RE: RESOLUTION NUMBER 23-84: 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 cost of water, wastewater, and/or irrigation services.
- 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 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 23-84 authorizing the recording of liens for the properties listed below.

20566-8	INVESTMENTS LLC, ALWAYS UP Meter was pulled 8/22/2023. Four months past due. Last payment was \$75.00 on 8/18/2023. Water was cut off 8/8/2023.	1210 E BATES AVE	\$185.18
22616-3	LANGFORD, AUSTIN M Meter was pulled 9/18/23. Three months past due. Last payment was \$83.38 on 6/12/2023. Water was cut off 8/16/2023.	901 E CITRUS AVE	\$324.11
32068-0	MURRAY, TRACY L & DAVID A Meter was pulled 1/11/2023. Twelve months past due. Last payment was \$119.45 on 3/8/2022. Water was cut off 12/6/2022. Customer is deceased.	3215 PAINTED POST CT	\$464.18
33574-0	COLLINS, MATTIE Meter was pulled 9/18/2023. Three months past due. Last payment was \$105.24 on 5/24/2023. Water was cut off in old system before 9/2012.	1920 SELLEEN DR	\$188.56
Totals			\$1,162.03

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 reimbursement of utility services, staff is recommending the recording of liens on qualifying delinquent utility accounts.

Alternatives:

1. Approve Resolution Number 23-84.
2. Deny Resolution Number 23-84 and provide direction to staff on how they would prefer to proceed.

Discussion of Alternatives:**Approval of Resolution Number 23-84:****Advantages:**

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

Disadvantages:

- The minimal filing and administrative costs required to record a lien.

Denial of Resolution Number 23-84:**Advantages:**

- Additional filing or administrative costs required to file a lien with the County.

Disadvantages:

- The city is not in compliance with Florida Statutes and has little recourse for the collection of 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 on the collection of past due utility bills which are the property owner's responsibility. Only the owner of the property can be liened. Obligations created by lessee's are not an allowed obligation of the owner of the property.
- Impose and maintain liens on properties for unpaid utility bills

Prepared By:

Arlene Applegate, Customer Service Representative III

Reviewed By:

Mike Sheppard, Finance Director

RESOLUTION NUMBER 23-84

**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 the 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 Exhibit A) 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.

DONE AND RESOLVED, this 21st day of September 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 21st day of September, 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 23-84 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

EXHIBIT A

20566-8	INVESTMENTS LLC, ALWAYS UP Meter was pulled 8/22/2023. Four months past due. Last payment was \$75.00 on 8/18/2023. Water was cut off 8/8/2023.	1210 E BATES AVE	\$185.18
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Totals			\$1,162.03



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: SEPTEMBER 21, 2023

RE: RESOLUTION NUMBER 23-86: AUTHORIZING MULTIPLE ANNUAL PURCHASES IN EXCESS OF \$50,000 FOR EACH OF THREE PRODUCTS AND SERVICES THAT ARE ESSENTIAL FOR THE PUBLIC UTILITIES DAILY OPERATIONS

Introduction:

The City Purchasing Ordinance requires that City Commission approve any purchase exceeding \$50,000. Resolution Number 23-86 authorizes multiple annual purchases in excess of \$50,000 for each of three products and services that are essential to the daily operations of the Public Utilities Department.

Background:

1. The Water Department uses Neptune Technology's water meters, meter heads and rebuild kits for their day-to-day operations. Ferguson Waterworks is the sole authorized Neptune Distributor for sales, service and warranty of Neptune water products and AMR systems for the State of Florida (sole source letter available upon request). The estimated cost based on previous years' purchases for these products was over \$50,000 and is included in the approved budget for the 2023-2024 fiscal year.
2. The Public Utilities Department requires sewer and stormwater rehabilitation services on an as-needed basis, in order to maintain the City's Sewer and Stormwater Systems. The city has utilized American-In-Line Inspections to provide rehabilitation services since April 2017. American-In-Line is the contracted supplier, through a piggyback contract with the City of South Daytona, Florida, which expires April 11, 2026. The estimated cost based on previous years' purchases for these services is over \$50,000 and is included in the approved budget for the 2023-2024 fiscal year.
3. The Water Department requires manhole repairs and rehabilitation on an as-needed basis, in order to minimize inflow and infiltration into the City's Sewer System. The city has utilized Engineered Coatings Solutions to provide manhole repair and rehabilitation services in the past. Engineered Coatings Solutions is the contracted supplier, through a piggyback contract with North Port, Florida, which expires October 26, 2023. The estimated cost for these services is over \$50,000 and is included in the approved budget for 2023-2024 fiscal year.

The City purchasing policies require that the Commission approve any purchase that exceeds \$50,000.

Recommended Action:

Staff recommends approval of this resolution.

Policy Implications:

Not applicable.

Alternatives:

1. Approve the Resolution.
2. Deny the Resolution.

Discussion of Alternatives:

1. Alternative 1 approves Resolution Number 23-86 and authorizes blanket purchase orders for the three products and services listed above.

Advantages:

- The city can proceed with uninterrupted new installs and maintenance of water meters.
- Minimize repeated issues with the City's Sewer System.
- The city will be meeting the requirements of Senate Bill 712.
- The city will carry on with its daily schedules without interruption.

Disadvantages:

- There are no disadvantages to approving the resolution.

2. Alternative 2 denies Resolution Number 23-86

Advantages:

- There is no advantage to denying the resolution because the products and services are required to keep the city running smoothly.

Disadvantages:

- Possible interruption of water service to customers, because inventory is not available to install or repair water meters.
- Possible interruption of sewer service to customers, because of sewer system failures.
- Inflow and infiltration in the City Sewer System.
- Failure to meet the requirements of Senate Bill 712.
- The cost to maintain operations and process requirements could increase.

Budget/Staff Impact:

The funds for the proposed purchases have been included in the approved Fiscal Year 2023-2024 budget.

Prepared By:

Melissa Fuller, Environmental Compliance Supervisor

Reviewed By:

Paul Shepherd, Water Superintendent
Greg Dobbins, Deputy Director Water/Wastewater
Rick Gierok, P.E., Director of Public Works/City Engineer

Attachment(s):

Resolution Number 23-86

Available Upon Request

Contracts and Sole Source Letter

RESOLUTION NUMBER 23-86

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AUTHORIZING MULTIPLE ANNUAL PURCHASES IN EXCESS OF \$50,000 FOR EACH OF THREE PRODUCTS AND SERVICES THAT ARE ESSENTIAL FOR THE PUBLIC UTILITIES DAILY OPERATIONS FISCAL YEAR 2023-2024.

WHEREAS, the Public Utilities Department has need of essential services and products for daily operations which require expenditures greater than \$50,000 each annually; 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 in various accounts for these products and services; and

WHEREAS, the Public Utilities Department solicited quotes for water meters and related equipment, sewer and stormwater rehabilitation services, and manhole repair services in accordance with the City's purchasing policies for lowest bids; and

WHEREAS, Neptune Technology sold by Ferguson Waterworks (water meters), American-In-Line (sewer and stormwater rehabilitation), and Engineered Coatings Solutions (manhole repairs) are the lowest bidders for their field of service.

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

- (1) That the Public Utilities Department is hereby authorized to spend in excess of \$50,000 each for water meters and related equipment, sewer and stormwater rehabilitation services, and manhole repair services for multiple projects funded within the existing budgets; and
- (2) That the City Manager is authorized to execute all agreements necessary to provide said products and services with the above listed vendors.

DONE AND RESOLVED, this 21st day of September 2023, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

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 21st day of September, 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 Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 23-86 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: SEPTEMBER 21, 2023

RE: RESOLUTION NUMBER 23-87: APPROVING A CONTRACT FOR LOBBYIST SERVICES WITH CONTINENTAL STRATEGY

Introduction:

The City Commission has expressed an interest in securing lobbyist services to support the City's legislative and appropriation priorities. Resolution Number 23-87 approves a contract with Continental Strategy for lobbyist services.

Background:

As part of the FY 2023-2024 budget process, the City Commission expressed an interest in securing lobbyist services to support the City's legislative and appropriation priorities. Further, the City Commission budgeted \$60,000 to support those efforts.

Staff has met with representatives of Continental Strategy. Their experience, connections and understanding of the legislative and executive branches of Florida will give the City of Eustis access to both the people and process of state government. Continental Strategy will help the City of Eustis advance both its legislative and appropriation priorities.

The proposed agreement has several provisions of note. The agreement will be effective October 1, 2023, and will automatically renew on a monthly basis unless either party gives written notice of non-renewal with 30 days-notice. Continental Strategy will consult with the City on priorities and provide professional lobbyist services to advance those priorities. The annual cost for services is \$50,000, which will be billed monthly at \$4,166.67. The City will also pay reasonable costs for travel expenses, however, Continental Strategy will notify the City if those costs are expected to exceed \$1,500 in any given month. The other terms of the agreement include basic contract language.

Recommended Action:

Staff recommends approval of Resolution Number 23-87.

Community Input:

There will be an opportunity for community input when Resolution Number 23-87 is considered on September 21st, 2023.

Budget/Staff Impact:

The contract includes lobbyist services for \$4,166.67 per month (\$50,000 per year) plus expenses. The City Commission budgeted \$60,000 as part of the FY 2023-2024 budget. One service being provided is lobbyist services for appropriation priorities. These lobbyist services improve the potential for significant, project specific state funding. However, specific funding amounts cannot be estimated at this time.

Prepared By:

Tom Carrino, City Manager

Attachment:

Resolution Number 23-87

Proposed Contract for Lobbyist Services with Continental Strategy

Continental Strategy Team Member Info

RESOLUTION NUMBER 23-87

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A CONTRACT FOR LOBBYIST SERVICES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO ENTER INTO AN AGREEMENT WITH CONTINENTAL STRATEGY FOR THOSE LOBBYIST SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City wishes to retain the services of Continental Strategy to serve as lobbyists for the City of Eustis; and

WHEREAS, the parties have agreed to the terms under which Continental Strategy will represent the City and wish to memorialize their agreement in writing.

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

The City Manager is authorized to execute the necessary documents to enter into an agreement with Continental Strategy for lobbyist services.

DONE AND RESOLVED this 21st day of September 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**

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Notary Public - State of Florida
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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 23-87 is hereby approved. I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk



Continentalstrategy.com
850.999.8468
101 N. Monroe Street, Suite 750
Tallahassee, FL 32304

THE CONTINENTAL STRATEGY TEAM

Continental Strategy is focused on the unique needs of the City of Eustis and builds a team with the expertise and understanding of your complex issues. Our team is comprised of individuals with a diverse set of experiences that complement one another and understand the importance of collaboration. While the individuals below would serve as the primary team working with you to accomplish your goals, your association would have access to our entire advocacy team.

CARLOS TRUJILLO

PRESIDENT AND FOUNDING PARTNER



Carlos Trujillo is the former Ambassador to the Organization of American States (OAS). Prior to his post at the U.S. Department of State, he served as an elected member of the Florida House of Representatives for eight years, was a founding partner of Trujillo, Vargas, Gonzalez and Hevia LLP, and worked as an assistant state attorney in Florida's 11th Judicial District for four years.

Carlos has a wealth of understanding of U.S. and Latin American politics and business and has strong ties to the Hispanic community, as well as state and national leadership and politics. He is based in Washington, D.C., with offices in Miami.

In 2017, Carlos was appointed by former President Donald J. Trump to serve as the U.S. Permanent Representative to the Organization of American States (OAS) and in this contentious political environment is proud that he was unanimously confirmed by the United States Senate.

Before his appointment at the OAS, Carlos was appointed by President Trump to serve as a Representative of the United States to the 72nd General Assembly of the United Nations under former Ambassador Nikki Haley. In 2020, he was nominated by former President Donald J. Trump to serve as the Assistant Secretary for the Western Hemisphere at the U.S. Department of State.

Prior to his work in Washington, Carlos was elected as State Representative to the 105th District in the Florida House of Representatives, where he served in various capacities, including two years as chair of the Criminal Justice subcommittee and two years as Chairman of the Appropriations Committee.

Carlos is the President of Continental Strategy, founder and President of Demand Democracy Now. He is an active member and manager of multiple real-estate holding companies in Coral Gables, Florida. He previously served on the Florida International University Board of Trustees from 2021 to 2023, as a Board Member of the Public Health Trust of Jackson Memorial Hospital in Miami, Florida from 2015 to 2016, and was a member of the Electoral College in 2016.

Carlos earned a Bachelor in Science in Business Administration from Spring Hill College in Mobile, Alabama and a Juris Doctor from Florida State University College of Law in Tallahassee, Florida. He is an active member of the Florida Bar, and received an AV rating by Martindale-Hubbell.



ASHLEY ELLIS SPICOLA
MANAGING PARTNER, TALLAHASSEE OFFICE

Ashley Spicola is the managing partner at Continental Strategy. Ashley worked for seven years for Governor Rick Scott and is a veteran policy advisor and strategist with insider-level knowledge and understanding of all aspects of the Florida state budget process, from developing a proposed budget to the Governor's signature or veto.

Prior to joining our team, Ashley served as a consultant for the Safety Net Hospital Alliance of Florida. She advised and developed policy and budget proposals for its 14-member hospital systems throughout Florida. She adeptly navigated the complex business and policy environment in which hospital systems operate to administer the most complicated care to the most critical patients, including children.

Throughout her career, Ashley has advised on complex policy and state budget matters. She spent more than 15 years serving in the highest levels of the executive branch of government. During the Rick Scott Administration, Ashley served as the head of the Education Policy and Budget team, where she was the lead advisor on education policy matters for PreK-12, state college system, and the university system, which accounted for \$20 billion in state budget priorities. She spearheaded many reforms to reduce costs and bolster outcomes for Florida students, including working with college presidents and administration officials to create the first-of-its-kind \$10,000 degree.

During the Charlie Crist Administration, Ashley served as Deputy Chief of Staff to Lieutenant Governor Jeff Kottkamp, where she managed the day-to-day functions of the office, including interfacing with the Florida Legislature and other public officials, developing messaging and outreach strategies, and serving as the policy director for the Lt. Governor. As Deputy Chief, Ashley developed recommendations for the HOPE Taskforce to provide housing solutions to families priced out of the market.



TOM DIGIACOMO
DIRECTOR, TRANSPORTATION, AND MUNICIPAL PRACTICE GROUP

Tom DiGiacomo brings to the firm over 20 years of experience working in and with state government, including extensive transportation-specific industry expertise, having served as Legislative Affairs Director and Senior Policy Advisor for FDOT and Florida Turnpike, as well as the Executive Director of the FL Transportation Commission. In addition to decades of government experience, Tom spent the last four years as the Director of Toll Technologies for PayIt, a national enterprise SaaS government solution provider, where he developed strategic go-to-market strategies and sales pursuits.



PAUL HAWKES

VICE PRESIDENT

Paul Hawkes is a former chief judge of the First District Court of Appeal, Florida's largest intermediate appellate court. Appointed to the court in 2003 by Governor Jeb Bush, Paul was twice retained by the citizens in the 31 counties of North Florida. In 2007, Paul became the youngest judge elected by his peers to serve as chief judge.

Since his retirement in January 2012, Paul has maintained a broad litigation practice. He regularly handles litigation matters in trial and appellate courts, including constitutional and regulatory challenges.

Paul left a commercial law firm to become an assistant state attorney in the fifth judicial circuit. He left the state attorney's office to run for the Florida House of Representatives. In his two terms as a state legislator, Paul represented Districts 26 and 43, serving Citrus, Marion, and Hernando Counties. In 1996, when the Republicans won the Majority in the Florida House for the first time since 1874, Paul served as Special Counsel to the first Republican Speaker in 122 years. Paul was instrumental in drafting new Rules for the Florida House, made referral recommendations on all legislation filed in the House, and oversaw special projects. In 2001, Paul had the opportunity to return to the Florida House as Chief of Policy for Speaker Tom Feeney. In this capacity, Paul advised Speaker Feeney on all policy issues and made bill referrals in the Florida House.

Paul received a House Speaker's appointment to the 1997-1998 Florida Constitution Revision Commission, serving as the Chair of the 'Bonding and Investments' Committee.

In 2000, Governor Bush hired Paul as deputy director in his Office of Policy and Budget. Governor Bush also appointed Paul to serve as his "efficiency czar," responsible for identifying efficiencies and outsourcing opportunities requiring Paul to work closely with each of the Governor's agencies.



Continentalstrategy.com
850.999.8468
101 N. Monroe Street, Suite 750
Tallahassee, FL 32304

CONTRACT FOR LOBBYIST SERVICES

This Contract is entered into between the City of Eustis (“the City”), 10 North Grove Street, Eustis, Florida, 32727, and Continental Strategy, LLC (“the Firm”), 101 North Monroe Street, Suite 750, Tallahassee, Florida, 32301.

RECITALS

WHEREAS, the City wishes to retain the services of the Firm to serve as lobbyists for the City of Eustis; and

WHEREAS, the parties have agreed to the terms under which the Firm will represent the City and wish to memorialize their Agreement in writing.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and for other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties both intending to be legally bound hereby, do agree as follows:

ARTICLE 1
TERM OF AGREEMENT

This Agreement shall become effective October 1, 2023, and shall renew automatically on a monthly basis thereafter unless either party gives written notice of non-renewal at least 30 (thirty) days prior to the expiration date of this Agreement (i.e., September 30, 2024).

ARTICLE 2
SCOPE OF SERVICES

2.1 The Firm shall provide professional lobbying services before the State of Florida government bodies, agencies, departments, offices and other “State Government Entities” at the direction of the City.

2.2 The Firm shall consult with the City regarding legislative or executive matters which may impact the City, and take any necessary action as determined by the City.

2.3 The Firm agrees that each person engaged by the Firm to provide services pursuant to this Agreement shall have the knowledge and skills, either by training, experience, education, or a combination thereof, to adequately and competently perform the duties, obligations, and services set forth herein.

ARTICLE 3
COMPENSATION

3.1 The City agrees to pay the Firm the amount of fifty-thousand dollars (\$50,000.00) for services actually performed and completed pursuant to the terms and conditions of this Agreement, which amount shall be accepted by the Firm as full compensation for all such services. The compensation shall be paid in equal monthly installments.



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101 N. Monroe Street, Suite 750
Tallahassee, FL 32304

3.2 Method of Billing and Payment. Compensation set forth under Section 3.1 shall be payable to the Firm in twelve (12) equal monthly installments of four thousand one hundred sixty-six and 67/100 (\$4,166.67). The first installment shall be due and payable immediately upon execution of this Agreement and continuing to be due monthly on the first (1st) day of each month until the termination of the Agreement.

3.3 Costs. The City shall pay reasonable costs associated with the services herein, including but not limited to necessary registration fees, travel expenses such as hotel, airfare, car services, and meals, excluding costs typically associated with the operation of an office such as overhead, staff, and equipment. The Firm shall notify the City in writing of costs expected to exceed \$1,500.00 for any given month. The Firm shall bill costs to the Client monthly.

3.4 Payment shall be made to the Firm at:

Continental Strategy, LLC
101 N. Monroe Street, Suite 750
Tallahassee, FL 32304

ARTICLE 4

PUBLIC RECORDS RETENTION

The Firm has been advised that the City and all its activities are subject to the Public Records Law (Chapter 119, Florida Statutes) and the Sunshine Law (Section 286.011, Florida Statutes), and agrees to maintain all record necessary to comply with the requirement of such laws.

ARTICLE 5

CONFLICT OF INTEREST

5.1 The Firm agrees that it will avoid activities, investments and other situations which may conflict with its duties to the City pursuant to this Agreement. In providing services under this Agreement, the Firm expressly agrees that as of the date of this Agreement, the Firm does not represent any client whose interest is currently adverse to the City's interest.

5.2 The Firm agrees that if, during the term of this Agreement, it determines that a client represented by the Firm has or may potentially have an interest adverse to the interest of the City, the Firm shall immediately disclose such conflict of interest as required by Section 5.3 of this Agreement. Additionally, before proposing, advocating, or otherwise advancing any bill, code, legislation, administrative rule, regulation, or policy on behalf of any other client that may potentially impact the City and its operations, the Firm shall, consistent with Section 5.3 of this Agreement, disclose the representation to the City and shall provide a copy of the bill, code, legislation, administrative rule, regulation, or policy.



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101 N. Monroe Street, Suite 750
Tallahassee, FL 32304

5.3 The Firm agrees that in the event a conflict of interest arises during the performance of this Agreement, the Firm shall disclose, in writing, the existence and nature of such conflict to the City. Such disclosure shall occur immediately upon discovery of the conflict, but in no event shall disclosure be made more than three (3) days after the Firm's discovery of the conflict. The Firm's written disclosure shall provide sufficient information concerning the conflict including, but not limited to, the name of the client presenting the conflicting position, the nature of the conflict, and the extent to which the Firm is unable to provide the services under this Agreement. Upon receipt of such disclosure, the City, in its sole discretion, shall take any appropriate action, up to and including termination of this Agreement.

5.4 In the event this Agreement is terminated pursuant to Section 5.3 or Section 6 of this Agreement, the Firm agrees to, upon request, assist the City in its efforts to contact and engage qualified individuals to perform the services that are the subject of this Agreement.

ARTICLE 6

TERMINATION

6.1 Termination Without Cause. After the initial contract period ends (i.e., September 30, 2024), this Agreement may be terminated by either party, without cause, upon that party's providing thirty (30) days' written notice to the other party.

6.2 Termination by Mutual Agreement. In the event the Firm and the City shall mutually agree in writing, this Agreement may be terminated on the terms and dates stipulated therein.

6.3 Termination on Notice of Default. In the event that either party shall give written notice to the other that such party has substantially defaulted or committed a material breach in the performance of its obligations under this Agreement and such default is not cured within thirty (30) days following the giving of such notice, the party giving such notice shall have the right to immediately terminate this Agreement.

6.4 In the event of termination under any of the above provisions, the Firm shall, within sixty (60) days after the termination date, submit a final invoice and report for all services rendered prior to and through the date of termination. The Firm may not submit any further statements following the submission of the final statement required by this section, nor shall the City be obligated to render payment on any such additional statements. In addition, the Firm's final report to the City shall apprise the City of the status of the City's legislative priorities for which it is responsible, advise of any scheduled meetings the City must attend, and of all other matters which may potentially require the City's immediate attention.

6.5 Upon payment of the final invoice, the City shall have no further obligation to the Firm. Likewise, the Firm's obligations to the City as set forth herein shall cease, except that the Firm expressly agrees to participate in the orderly and professional transfer of responsibilities for the services to the City.



Continentalstrategy.com
850.999.8468
101 N. Monroe Street, Suite 750
Tallahassee, FL 32304

6.6 In the event this Agreement is terminated, any compensation payable to the Firm may be withheld until the Firm provides the City with the documents set forth in Article 9.

ARTICLE 7

INDEPENDENT CONTRACTOR

The Firm is an independent contractor under this Agreement. The services provided by the Firm shall be subject to the supervision of the Firm. In providing the services, the Firm or its employees providing services shall not be acting and shall not be deemed as acting officers or employees of the City. The parties expressly acknowledge that it is not their intent to create any rights or obligations in any third person or entity under this Agreement. Personnel policies, tax responsibilities, social security and health insurance, employee benefits, purchasing policies and other similar administrative procedures applicable to services rendered under this Agreement shall be those of the Firm.

ARTICLE 8

SUBCONTRACTING/ASSIGNMENT

Neither party to this Agreement shall subcontract or assign any portion of this Agreement to any other entity without the specific written consent of the other party. The Firm's written agreements with its employees to provide services shall not be deemed subcontracts or assignments as the Firm shall remain fully responsible for the delivery of the services.

ARTICLE 9

OWNERSHIP OF DOCUMENTS

Any and all reports, photographs, surveys, and other data and documents provided or created in connection with this Agreement are and shall remain the property of the City. In the event of termination of this Agreement, any reports, photographs, surveys, and other data and documents prepared by the Firm, whether finished or unfinished, shall become the property of the City and shall be delivered by the Firm to the City within fourteen (14) days of termination of this Agreement by either party. Any compensation due to the Firm may be withheld until all documents are received by the City.

ARTICLE 10

GENERAL PROVISIONS

10.1 Severability. In the event any provision of this Agreement is held to be unenforceable by a court of law, the unenforceability thereof shall not affect the remainder of the Agreement which shall remain in force and effect and enforceable in accordance with its terms.

10.2 Sovereign Immunity. The parties hereto acknowledge that the City is a political subdivision of the State of Florida and enjoys sovereign immunity. Nothing in this Agreement shall be construed to require the City to indemnify the Firm or insure the Firm for its negligence or assume any liability for the Firm's negligence. Further, any liability under this Agreement shall not alter the City's waiver of sovereign immunity or extend the City's liability beyond the limits established in section 768.28, Florida Statutes.



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850.999.8468
101 N. Monroe Street, Suite 750
Tallahassee, FL 32304

10.3 Entire Agreement. This Agreement constitutes the entire agreement between the parties regarding the subject matter of this Agreement. No oral statements or prior written material not specifically incorporated shall be of any force and effect and no changes or additions to this Agreement shall be recognized unless incorporated herein by amendment, such amendments to become effective on the date stipulated in such amendments.

10.4 Governing Law and Venue. This Agreement is governed by the laws of the State of Florida. The parties agree that any legal disputes arising from this Agreement shall be brought in Lake County, Florida.

10.5 Notices. All notices required by this Agreement shall be sent in writing via certified mail, return receipt requested or via mail delivery requiring signature. Courtesy copies may be sent via email, however electronic mail shall not satisfy the notice requirement. Notice shall be sent to the parties as stated below:

City of Eustis
City Manager
10 N. Grove Street
Eustis, FL 32726

Continental Strategy, LLC
101 N. Monroe Street, Suite 750
Tallahassee, FL 32304

10.6 Counterparts. This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed to be an original.

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the date stated below.

CITY OF EUSTIS

CONTINENTAL STRATEGY, LLC

Tom Carrino, City Manager

Carlos Trujillo, President

Dated: _____, 2023.

Dated: _____, 2023.



City of Eustis

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

TO: EUSTIS CITY COMMISSION
 FROM: TOM CARRINO, CITY MANAGER
 DATE: SEPTEMBER 21, 2023
 RE: RESOLUTION NUMBER 23-77: FINAL MILLAGE RATE FOR THE FISCAL YEAR 2023-2024

Introduction

Resolution Number 23-77 establishes the FINAL millage rate for FY 2023-2024 as **7.5810** mills.

Recommended Action

Staff recommends approval of Resolution Number 23-77.

Background

Florida State Statutes require each taxing authority to set a millage rate annually for property taxation following required public hearings. The City Commission set the proposed rate of 7.5810 mills at the meeting of the Budget Workshop held on July 20th, 2023. The Property Appraiser used that information to prepare TRIM notices distributed on August 18th, 2023.

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

Since last year, the adjusted tax roll (before new construction and annexation) increased by \$25,004,090, from \$1,347,838,047 to \$1,449,445,620. This year's total tax value of \$11,367,297 represents an increase of 9.3%.

Based on that valuation, the Commission may consider any of the following options in setting a millage rate for the 2022-2023 Fiscal Year:

1. The Current Millage Rate of 7.5810 mills. This rate would generate revenues sufficient to counter annual increases in normal city operating costs and allow for continuing current service levels. This rate can be approved with a two-thirds vote of the Commission (at least four commissioners) and would be advertised as a tax increase. This proposed millage rate is greater than the Roll-Back Rate representing an increase of 9.3%.
2. The Roll-Back Rate of 7.0158 mills. This rate approximates prior year tax revenues less allowances for new construction, additions, deletions, annexations, and improvements. This rate can be approved with a majority vote of the Commission (at least three commissioners) and would not be advertised as a tax increase.
3. Some other millage rates are between 7.0158 and 7.5810. Any rate over the Roll-Back rate would be advertised as a tax as a tax increase. The proposed rate of 7.5810 represents an increase of 9.3% and requires a two-thirds vote of the Commission.
4. A millage rate over 7.5810 to the maximum allowed 8.0600 would require a two-thirds vote. However, there are other viable options due to the re-issuance of TRIM notices.

Staff recommends setting the Fiscal Year 2023-2024 rate at the current rate of 7.5810 mills to support the revenue assumptions of the proposed budget. State Law allows for the rate reduction during either or both public hearings in September. An increase to the proposed rate at the first hearing, per Florida Statutes 200.065, requires first-class notice to all taxpayers of the City since TRIM notices have already been mailed. This would endanger the City’s ability to adopt the final millage and budget in time to meet the State-mandated deadlines in September. This could result in the forfeiture of all Ad-Valorem revenue.

The City’s share of a home assessed with a taxable value of \$200,000 with homestead exemptions of \$50,000 in Eustis would be annual taxes of \$1,137, or about \$3.12 per day, for services provided by Police, Fire, Library, Parks & Recreation, Finance, Administration, Development Services, Human Resources, and Public Works departments. The Roll-Back Rate of 7.0158 mills would an annual Eustis tax of \$1,052 or about \$2.88 per day. The annual difference between the proposed millage and the Roll-Back rate is \$85, which equates to a savings of \$7.08 monthly or \$0.23 daily.

While the City of Eustis has the highest stand-alone millage rate in the County, we utilize what is defined as the **Functional Millage Rate**. The Functional rate adds in the transfers from the enterprise funds to the general fund as well as the Fire assessment fees. As of the writing for this report, we have information from Leesburg, Mount Dora and Tavares as follows:

Functional Millage Rate
Fiscal Year September 30, 2023-24
Millage Rate Comparison Northern Area Cities with One Billion in Property Values
Include Millage Rate for Transfer and Fire Assessment

Rank	Rank	Rank	Rank	Rank	Rank	Rank	Rank	Rank	Rank	Rank	Rank	Rank
Lowest to Highest	Lowest to Highest	Lowest to Highest	Lowest to Highest	Lowest to Highest	Lowest to Highest	Lowest to Highest	Lowest to Highest	Lowest to Highest	Lowest to Highest	Lowest to Highest	Lowest to Highest	Lowest to Highest
2022 Taxable Value as Reported	Taxable Value Per 1,000	Millage Rate	Millage Rate	Transfer to the General Fund	Millage Rate Needed to accommodate Transfer to the General Fund	Fire Assessment Fees	Millage Value of Fire Assessment	Total Functional Millage	Rank	Lowest to Highest	Rank	Lowest to Highest
October 1	1,000	Rate	Rate	Fund	General Fund	Fees	Assessment	Millage	Rate	Rate	Rate	Rate
Leesburg	2,503,590,902	2,503,591	4	3.4752	1	11,511,497	4.5980	2,929,680	1.1702	9.2434	2	2
Eustis	1,495,547,405	1,495,547	3	7.5810	4	2,300,000	1.5379	-	-	9.1189	1	1
Mount Dora	1,801,717,863	1,801,718	2	6.1000	2	4,194,250	2.3279	2,054,593	1.1404	9.5683	3	3
Tavares	1,489,265,550	1,489,266	1	6.7778	3	3,276,404	2.2000	1,940,407	1.3029	10.2807	4	4

The City of Eustis has traditionally tried to be transparent with property taxes. As such, Eustis has limited transfers from our Enterprise Fund to the General Fund and Eustis does not charge a Fire Assessment Fee. When functional millage is considered, our millage rate is the lowest of the major cities in the north end of the county. The City has maintained lower transfers which help keep rates low for our utility customers, and we include the cost of fire service within our millage rate.

The Proposed Final Budget that is presented for September 21, 2023 has been prepared with ad-valorem revenue estimates based on a current millage rate of 7.5810.

State Law requires two public hearings on the millage rate and budget. The first public hearing was on September 7, 2023, and the second was held on September 21st, 2023. The new fiscal year begins October 1st, 2024.

On September 7, 2023, the City Commission approved Resolution Number 23-75 establishing the tentative millage rate at 7.5810.

Alternatives

1. Set the FINAL millage rate at the current rate of **7.5810** mills.
2. Set the FINAL millage rate at the Roll-Back rate of **7.0158** mills.
3. Set the FINAL millage rate at another rate between **7.0158** and **7.5810**.

Discussion of Alternatives

1. Sets the FINAL millage rate at 7.5810 mils.
 - a. Advantages:
 - i. Provides more recurring revenues and replaces lost revenues resulting from previous declines in property values.
 - ii. Provides a better opportunity to balance revenues and expenditures for the upcoming fiscal year.
 - iii. Requires only a minimal increase in the average property owner's taxes.
 - iv. This rate is the basis of the proposed Fiscal Year 2023-2024 budget.
 - b. Disadvantages:
 - i. Provides higher property taxes than the Roll-Back rate of 7.0158 and would be advertised by law as a 9.3% tax increase.
2. Sets the FINAL millage rate at the Roll-Back rate of 7.0158 mils.
 - a. Advantages:
 - i. Could hold property taxes at approximately the same amount as the prior year.
 - ii. It would not need to be advertised as a tax increase.
 - b. Disadvantages
 - i. The rate would generate significantly less tax revenue for the city (approximately \$805,112 less than the current millage rate).
 - ii. The rate would require the use of fund balance to balance the General Fund budget. The current net increase in fund balance is \$431,948. Going to the Roll-Back rate would reduce the revenue resulting in a current year deficit of \$373,164 (\$431,948 - \$805,112)
 - iii. The rate would require expenditure reductions to balance the current budget.
 - iv. The rate could result in a reduction in the City's current levels of service.
3. Sets the FINAL millage rate at some other rate between the Roll-Back rate of 7.0158 and the current millage of 7.5810.
 - a. Advantages:
 - i. If the rate selected is less than the current rate of 7.5810 mils, it could reduce the property taxpayer depending on the rate selected.
 - b. Disadvantages:
 - i. If the rate selected is less than the current rate of 7.5810 mils, it would reduce the City's tax revenue, potentially requiring fund balance and/or significant expenditure reductions. It could result in a reduction in the City's current levels of service. Each .1000 millage reduction equates to \$142,447.

Budget and Staff Impact

Staff prepared the Fiscal Year 2023-2024 budget using the current millage rate of 7.5810, resulting in an estimated increase in property taxes of \$1,153,958 compared to the Fiscal Year 2022-23 proposed tax estimates. If the millage rate is set lower than the 7.5810 proposed, it may require a reduction in reserves or a reduction in proposed General Fund expenditures to balance the budget.

Prepared By:

Nailya Harnisch, Deputy Finance Director

Reviewed By:

Mike Sheppard, Finance Director

RESOLUTION NUMBER 23-77

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, ADOPTING THE FINAL MILLAGE LEVY OF AD VALOREM TAXES FOR THE CITY OF EUSTIS, LAKE COUNTY, FOR THE FISCAL YEAR 2023-2024, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 21st, 2023, the City of Eustis, Lake County, Florida, held a public hearing on the Fiscal Year 2023-2024 FINAL Millage Rate, as required by Florida Statute 200.065; and

WHEREAS, the City of Eustis of Lake County, Florida, adopted the Fiscal Year 2023-2024 FINAL Millage Rate following the public hearing; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within the City of Eustis, Lake County, Florida, has been certified by the Lake County Property Appraiser to the City of Eustis as \$1,499,445,620.

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

SECTION 1

That the FY 2023-2024 FINAL operating millage rate is 7.5810 mills, which is greater than the rolled-back rate of 7.0158 mills and increases taxes by 9.3%.

SECTION 2

That this Resolution shall take effect immediately upon its adoption.

DONE AND RESOLVED this 21st day of September 2023, in the regular session of the City Commission of the City of Eustis, Lake County, Florida. **Time Adopted** _____

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

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 21st day of September 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 23-77 is hereby approved. I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk



City of Eustis

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

TO: EUSTIS CITY COMMISSION
 FROM: TOM CARRINO, CITY MANAGER
 DATE: SEPTEMBER 21, 2023
 RE: RESOLUTION NUMBER 23-78: ADOPTING A FINAL BUDGET FOR THE FISCAL YEAR 2023-2024

Introduction

Resolution Number 23-78 adopts the FINAL Budget for FY 2023-2024 after the required public hearing.

Recommended Action

Staff recommends approval of Resolution Number 23-78.

Background

Florida State Statutes require each taxing authority to adopt tentative and final budgets annually. The law also requires that the local government hold a public hearing before adopting each of those budgets. The public hearings and adoption of the budget take place after the public hearing and adoption of the millage rates. The TRIM notice that was sent to all property owners in August notified all Eustis property owners of the proposed millage rate and the date of the first public hearing on the millage. The city will advertise the adoption of the final budget and the notice of tax increase before the second public hearing per state law. The second and final hearing will be held on September 21st, 2023.

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

The General Fund Budget, as proposed, contains more revenues than expenditures for Fiscal Year 2023-2024. The proposed FINAL budget also includes funding for employee compensation increases, insurance increases, and the Capital Improvement Plan funding. The city will advertise the budget on the City website as State Law requires, and a copy will be provided to the Commission with this agenda item.

Alternatives

1. Adopt Resolution Number 23-78 and approve the budget presented as FINAL.
2. Direct staff to make specific changes to the budget and immediately adopt the revised version as FINAL during the hearing.

Discussion of Alternatives

1. **Alternative 1** provides for adopting Resolution Number 23-78 and approving the budget presented as FINAL.
 - a. Advantages:
 - i. The proposed FINAL budget maintains all service levels and enhances Recreation by adding staffing, programs, and expansion of pool services and Police and Fire Services.
 - ii. There is funding to implement the City's Strategic Plan.
 - iii. There is funding to address employee pay increases based on performance and set forth a plan to bring the City to the required minimum wage of \$15.00 per hour by 2026. During the FY 23-24 budget all full-time employees will be at minimum wage. Part-time employees will be steadily increased over the next three years.
 - iv. General Fund revenues exceed expenditures with a surplus of \$431,948, however, overall expenditures do surpass overall revenues by \$4,859,859. This can be attributed to the numerous one-time projects within the Water and Sewer Funds (WWTP expansion as well as other projects), Street replacement, Law Enforcement Impact Fund (evidence storage), Street Improvement Fund (Crosswalks/Intersections), CRA (metal structure for basketball/seawall), Stormwater (culvert replacement), Water & Sewer Impact Funds (expansion reclaim, tanks and force main extensions) and Economic Development (matching grants/incubator).
 - v. The Budget is balanced within the General Fund and utilizes reserve funds only as authorized by the City Commission.
 - b. Disadvantages:
 - i. Although the millage rate of 7.5810 mills is the same as the prior year, it exceeds the rollback rate and must be advertised as a tax increase.
2. **Alternative 2** directs staff to make specific changes to the budget and immediately adopt the revised version as FINAL during the hearing. The budget must be revised accordingly if the Commission approves a millage rate other than 7.5810.
 - a. Advantages:
 - i. Provides an opportunity for the Commission to revise the budget.
 - ii. Could provide an opportunity for further cost reductions, priority shifts, and reductions/changes in services.
 - b. Disadvantages:
 - i. If the millage rate is reduced, expenditures may have to be reduced to maintain the balance of revenues and expenditures.
 - ii. If the millage rate or expenditures are reduced, service levels will likely have to be reduced accordingly.
 - iii. If expenditures are increased, the Commission has to provide additional revenue from the fund balance or other funding sources.
 - iv. A change in the millage rate could affect previously established City Commission priorities.
 - v. A change in the millage rate could delay the adoption of the FINAL Budget and hinder compliance with State Law.

Community Input

There will be sufficient time for input at the public hearings held before the FINAL budget is adopted. There was also sufficient time for input at all the preceding budget and millage-related Commission workshops and meetings.

Budget and Staff Impact

As presented, there are budgeted revenues and expenditures city-wide of \$67,048,640 and \$71,902,229, respectively, and estimated reserves of \$63,292,074, and fund balances totaling \$98,851,750 at the end of September 30, 2024.

Prepared By:

Nailya Harnisch, Deputy Finance Director

Reviewed By:

Mike Sheppard, Finance Director

RESOLUTION NUMBER 23-78

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR 2023-2024, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 21st, 2023, the City of Eustis, Lake County, Florida, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the City of Eustis of Lake County, Florida, set forth the appropriations and revenue estimates for the FINAL Budget for the Fiscal Year 2023-2024 for \$98,851,750.

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

SECTION 1

That the Fiscal Year 2023-2024 FINAL Budget is hereby adopted in the total revenue and expenditures in the amount of \$67,048,640 and \$71,902,229, respectively, with an estimated ending reserve balance of \$63,292,074 and fund balance totaling \$98,851,750 as more particularly outlined in "EXHIBIT A," attached hereto and made a part hereof.

SECTION 2

That the Finance Director of the City of Eustis is hereby authorized to amend the FY2023-2024 Budget to include any unexpended/unrealized and/or unencumbered capital items or contractual items from FY 2022-2023.

SECTION 3

That this Resolution shall take effect immediately upon its adoption.

DONE AND RESOLVED this 21st day of September 2023, in the regular session of the City Commission of the City of Eustis, Lake County, Florida.

Time Adopted_____

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

Michael L. Holland,
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 21st day of September 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 23-78 is hereby approved. I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

EXHIBIT A

All Funds Budget Summary
Fiscal Year 2023-24

Fund No.	Fund Name	Estimated Beginning Fund Balance	Plus: Revenues	Less: Expenditures	Less: Reserves	Estimated Available Fund Balance	Estimated Ending Fund Balance
001	General	15,582,735	24,318,859	23,886,911	5,971,728	10,042,955	16,014,683
	Library						
006	Contribution	27,429	1,965	8,200	29,726	(8,532)	21,194
010	Sales Tax Revenue	1,546,417	5,480,741	6,043,046	-	984,112	984,112
	Law Enforcement						
011	Education	51,966	53,700	73,000	32,666	-	32,666
012	Police Forfeiture	(1,754)	20,900	13,900	-	5,246	5,246
013	Street Improvement	764,308	2,110,794	2,783,020	-	92,082	92,082
	Community						
014	Redevelopment	1,480,790	1,477,897	1,610,967	397,224	950,496	1,347,720
020	Building Services	1,330,090	1,155,900	787,596	194,201	1,504,193	1,698,394
	Stormwater Utility						
049	Revenue	707,546	890,200	994,493	248,623	354,630	603,253
	Water & Sewer						
040	Revenue	17,616,542	13,697,300	14,249,351	3,513,534	13,550,957	17,064,491
	Reclaimed Water						
041	Projects	170,109	2,600	-	-	172,709	172,709
042	Water & Sewer R&R	13,543,195	9,972,942	15,734,463	-	7,781,674	7,781,674
	Fire Prevent.						
059	Capacity Exp. Trust	87,542	42,500	1,400	-	128,642	128,642
	Greenwood						
060	Cemetery Trust	299,835	17,200	43,000	274,035	-	274,035
061	Police Pension	22,784,388	3,453,000	1,900,000	24,337,388	-	24,337,388
062	Fire Pension	12,875,633	2,915,000	1,250,000	14,540,633	-	14,540,633
	Parks & Rec						
063	Capacity Exp. Trust	306,107	95,000	3,100	398,007	-	398,007
	Law Enforce.						
064	Capacity Exp. Trust	408,027	44,200	201,065	251,162	-	251,162
065	Water Impact Trust	7,431,168	166,000	1,128,000	6,469,168	-	6,469,168
066	Sewer Impact Trust	6,494,014	712,800	691,337	6,515,477	-	6,515,477
	Economic						
068	Development Trust	104,650	377,642	481,780	-	512	512
	Library Capacity						
069	Exp. Trust	94,602	41,500	17,600	118,502	-	118,502
	TOTAL	103,705,339	67,048,640	71,902,229	63,292,074	35,559,676	98,851,750



City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: September 21, 2023

RE: **SECOND READING**

ORDINANCE NUMBERS 23-15, 23-16, AND 23-17: EXPLANATION OF ORDINANCES FOR ANNEXATION OF PARCELS WITH ALTERNATE KEY 1213177

Ordinance Number 23-15 – Voluntary Annexation

Ordinance Number 23-16 – Comprehensive Plan Amendment


Ordinance Number 23-17 – Design District Assignment

Introduction:

Ordinance Number 23-15 provides for the voluntary annexation of approximately 4.63 acres of land located northeast corner of CR 44 at the intersection with South Fishcamp Road (Alternate Key Number 1213177). Provided the annexation of the subject property is approved, via Ordinance Number 23-15, Ordinance Number 23-16 would change the future land use designation from Urban Low in Lake County to Mixed Commercial Residential (MCR) in the City of Eustis, and Ordinance Number 23-17 would assign the subject property a design district designation of Suburban Corridor. If Ordinance Number 23-15 is denied, then there can be no consideration of Ordinance Numbers 23-16 and 23-17.


Background:

1. The site contains approximately 4.63 acres and is located at the northeast corner of the intersection of CR 44 and South Fishcamp Road within the Eustis Joint Planning Area.
2. The proposed annexation properties are contiguous to the City boundaries, directly on the eastern boundary of the property and across CR 44.
3. The site has a Lake County land use designation of Urban Low, but approval of Ordinance Number 23-16 would change the land use designation to Mixed Commercial Residential (MCR) in the City of Eustis.

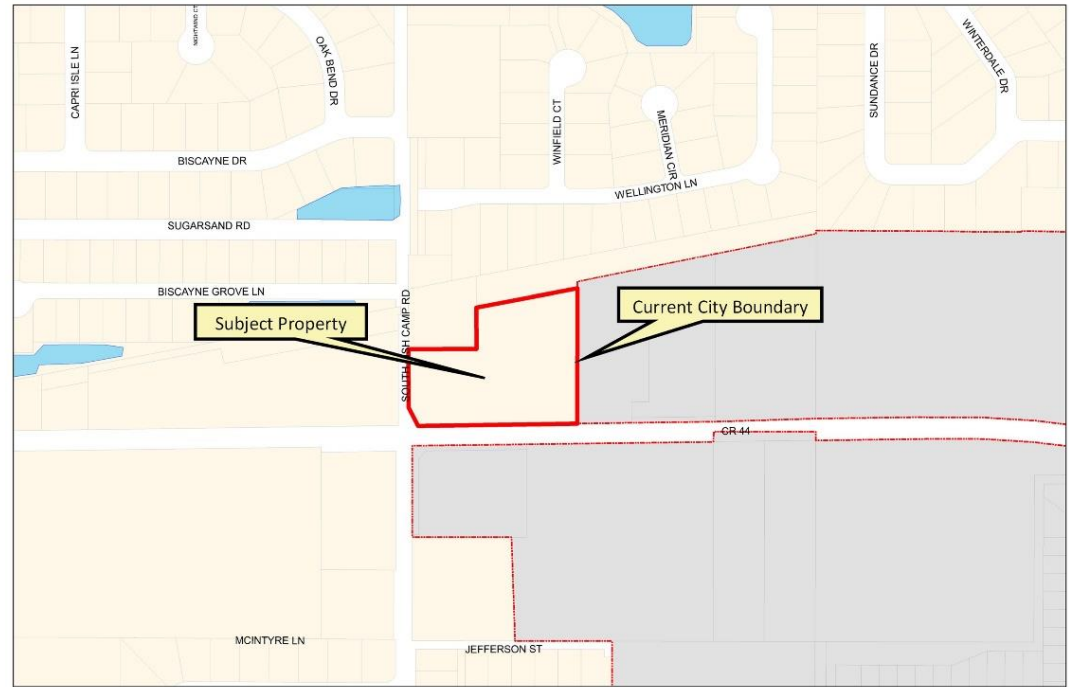



Subject Properties

CR 44




Eichelberger (Novack and Sons, Inc)
Aerial Location




Subject Property

Current City Boundary

CR 44

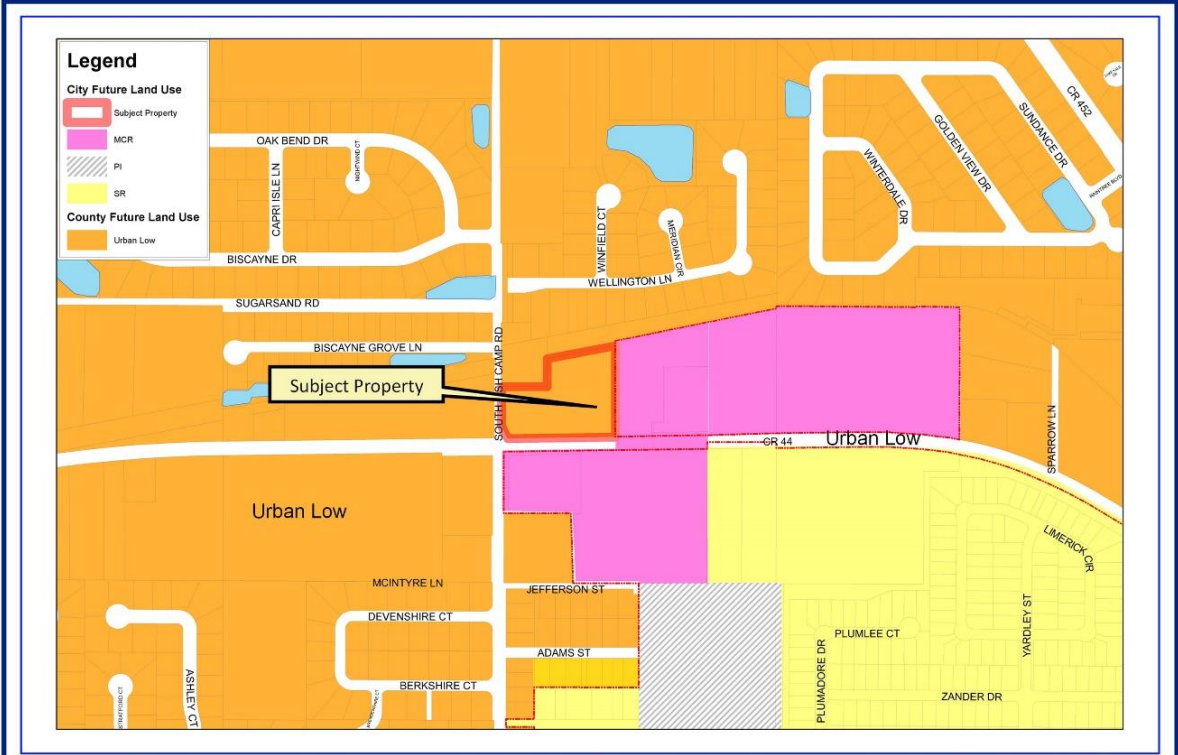


Eichelberger (Novack and Sons, Inc)
Location

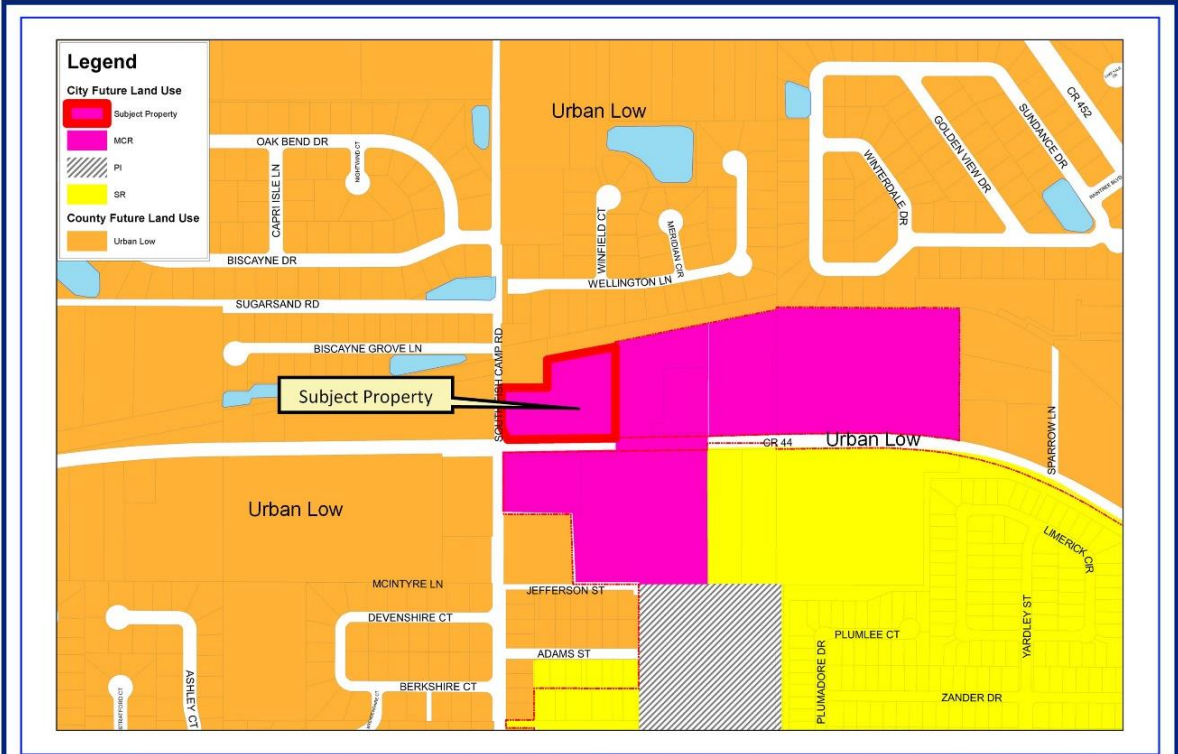


Surrounding properties have the following land use designations:

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



Eichelberger (Novack and Sons, Inc)
Future Land Use (Current)



Eichelberger (Novack and Sons, Inc)
Future Land Use (Proposed)



Applicant's Request

The applicant LPG Urban and Regional Planners, on behalf of Novack and Sons, Inc. and property owners Richard and Cindy Eichelberger., wishes to annex the referenced property, change the future land use to Mixed Commercial Residential (MCR), and assign a design district of Suburban Corridor.

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

The property owner has requested the City of Eustis Mixed Commercial Residential future land use designation with the annexation. The MCR future land use provides for a mix of commercial and residential uses up to twelve (12) dwelling units per acre.

Analysis of Annexation Request (Ordinance Number 23-15)

4. Resolution Number 87-34 – Joint Planning Area Agreement with Lake County:

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

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

5. Florida Statutes Voluntary Annexation - Chapter 171.044(1):

“The owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality.”

The Eustis-Lake County Joint Planning Area boundaries define the reasonably compact area where the City could provide services effectively and efficiently. The subject property lies within that planning area; it is contiguous to the City limits on the eastern and southern boundaries, and the owner has petitioned for voluntary annexation.

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

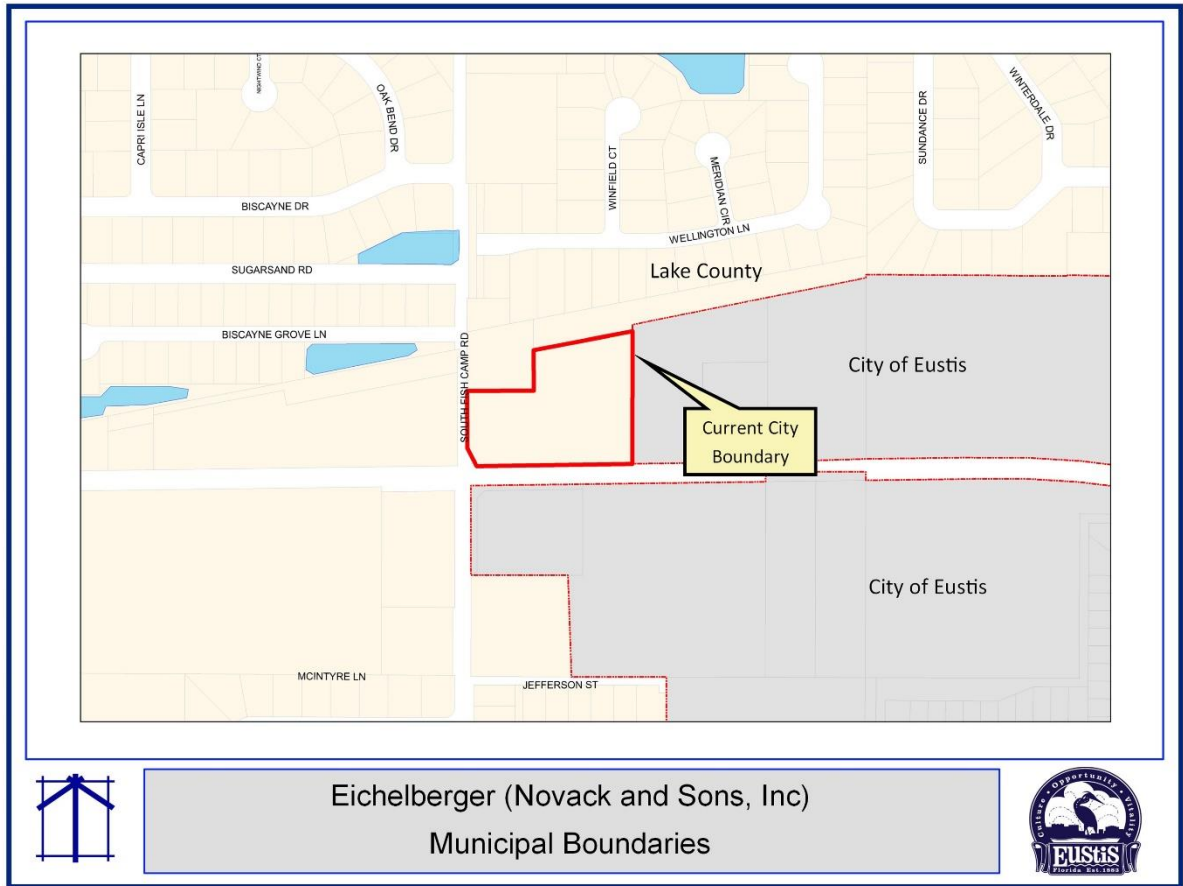
“...Said ordinance shall be passed after notice of the annexation has been published at least once each week for 2 consecutive weeks in some newspaper in such city or town...”

The department published notice of this annexation in the Daily Commercial following the established requirements on August 24, 2023, and again on August 31, 2023.

7. Florida Statutes Voluntary Annexation - Chapter 171.044(5):

“Land shall not be annexed through voluntary annexation when such annexation results in the creation of enclaves.”

Annexation of the subject property does not create an enclave as defined by the Florida Statutes. The subject properties are a continuous and logical extension of the city boundary.



8. Florida Statutes Voluntary Annexation - Chapter 171.044(6):

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

The department provided notice to the Lake County Board of County Commissioners by Certified Mail on August 10, 2023.

Analysis of Comprehensive Plan/Future Land Use Request (**Ordinance Number 23-16**)

In accordance with the Florida Statutes Chapter 163.3177.9.:

Discourage Urban Sprawl:

Primary Indicators of Sprawl:

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

Low-Intensity Development:

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

This indicator does not apply. The requested future land use will provide for a higher density (12 du/acre) and the MCR designation allows for commercial or mixed-use opportunities.

Urban Development in Rural Areas:

Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

This indicator does not apply. The area has established commercial development and is situated as a suburban commercial and urbanizing area.

Strip or Isolated Development:

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

This indicator does not apply. The area is an already established suburban commercial area/intersection with similar land uses directly adjacent.

Natural Resources Protection:

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

This indicator does not apply. The subject property is not subject to floodplain impact and does not contain wetland areas. The Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

Agricultural Area Protection:

Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.

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

Public Facilities:

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

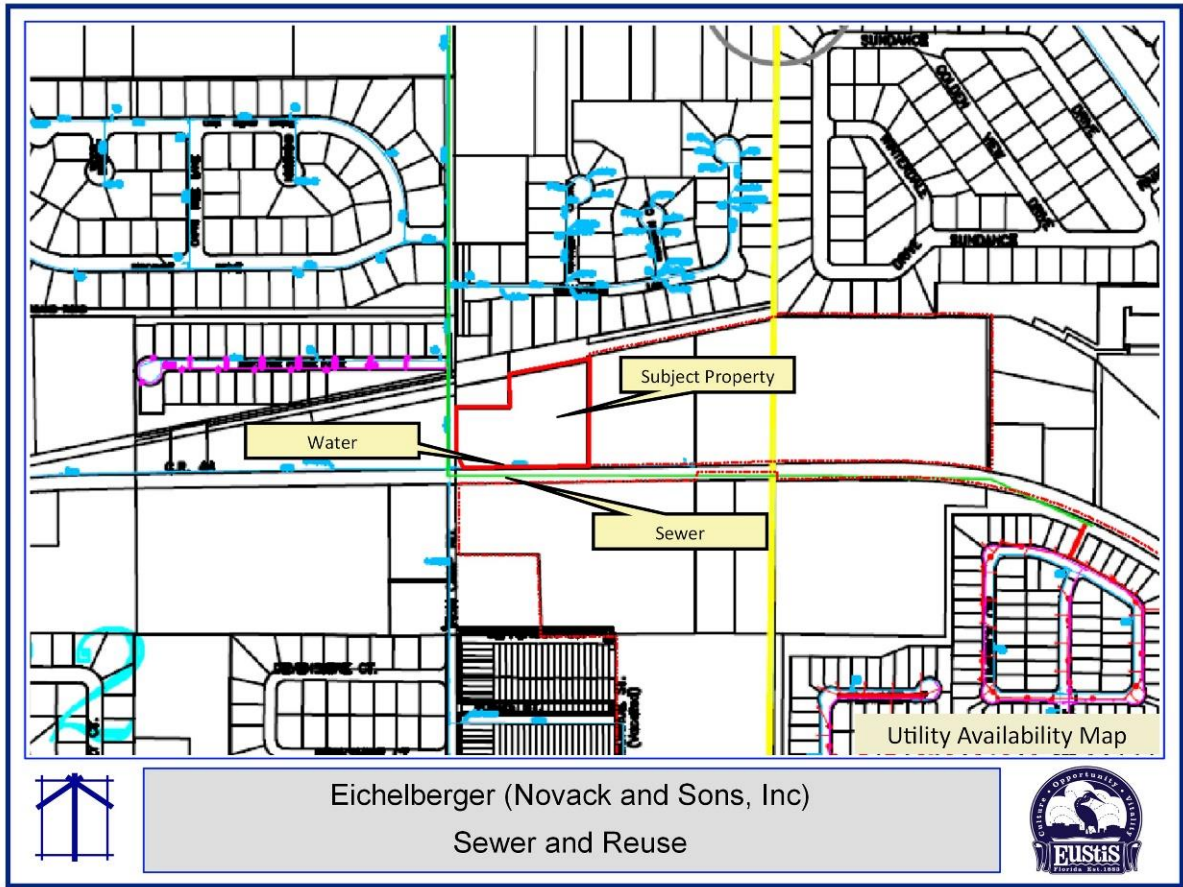
This indicator does not apply. City water is available to serve the property. Development of this parcel will maximize the use and efficiency of the City water services. City Sewer is available with adequate capacity to serve the property and will be addressed via the site development process.

Cost Effectiveness and Efficiency of Public Facilities:

Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water

sanitary sewer, stormwater management, law enforcement, education, health care, emergency response, and general government.

This indicator does not apply. Adequate capacity is available to serve the existing and future development.



Separation of Urban and Rural:

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

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

Infill and Redevelopment:

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

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

Functional Mix of Uses:

Fails to encourage a functional mix of uses.

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

Accessibility among Uses:

Results in poor accessibility among linked or related land uses.

This indicator does not apply. The Land Development Regulations include provisions to provide adequate access and linkage between related uses. City Departments will ensure compliance with these standards at the time of development review.

Open Space:

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

This indicator does not apply. The site does not contain functional open space and is not connected to regionally significant open space. The subject properties are existing residential lots.

Urban Sprawl:

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

Direction of Growth:

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

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

Efficient and Cost-Effective Services:

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

Water and Sewer service is available. The development of the property will further encourage the efficient provision of services.

Walkable and Connected Communities:

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

At the time of development, the site must meet the City's Land Development Regulations including the creation of streets and street connections where they do not currently exist.

Water and Energy Conservation:

Promotes the conservation of water and energy.

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

Agricultural Preservation:

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

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

Open Space:

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

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

Balance of Land Uses:

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

The proposed land use is consistent with the surrounding area. The land use proposed would allow for opportunities for development types to support the surrounding area.

Urban Form Densities and Intensities:

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

Not applicable.

In Accordance with Comprehensive Plan Future Land Use Element Appendix:

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

Major Categories of Plan Policies:

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

General Public Facilities/Services:

Since the Plan policies address the continuance, expansion and initiation of new government service and facility programs, including, but not limited to, capital facility construction, each application for a land use designation amendment shall include a description and evaluation of any Plan programs (such as the effect on the timing/financing of these programs) that will be affected by the amendment if approved. This analysis shall include the availability of, and actual and anticipated demand on, facilities and services serving or proposed to serve the sub

property. The facilities and services required for analysis include emergency services and recreation, potable water, public transportation if and when available, sanitary sewer, schools, solid waste, stormwater, and the transportation network.

1. Emergency Services Analysis:

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

2. Parks & Recreation:

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

3. Potable Water & Sanitary Sewer:

Water and sewer are available to the subject property. Both the water and sewer systems have adequate capacity to serve the development of the property.

4. Schools:

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

5. Solid Waste:

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

6. Stormwater:

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

7. Transportation Network Analysis:

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

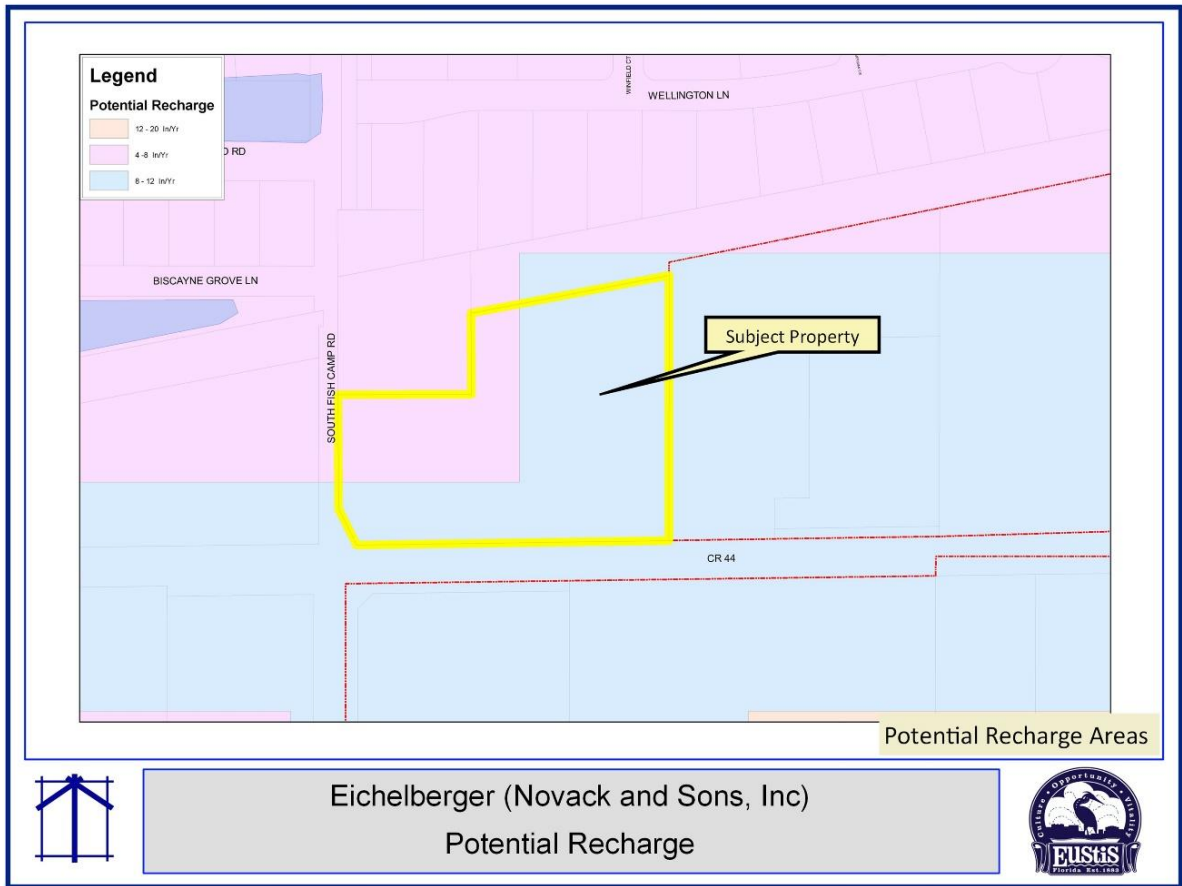
8. Natural Resources/Natural Features:

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

natural functioning of flood plains; and 4) the suitability of the soil and topography for development proposed.

9. Groundwater recharge areas:

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



10. Historical or archaeological sites:

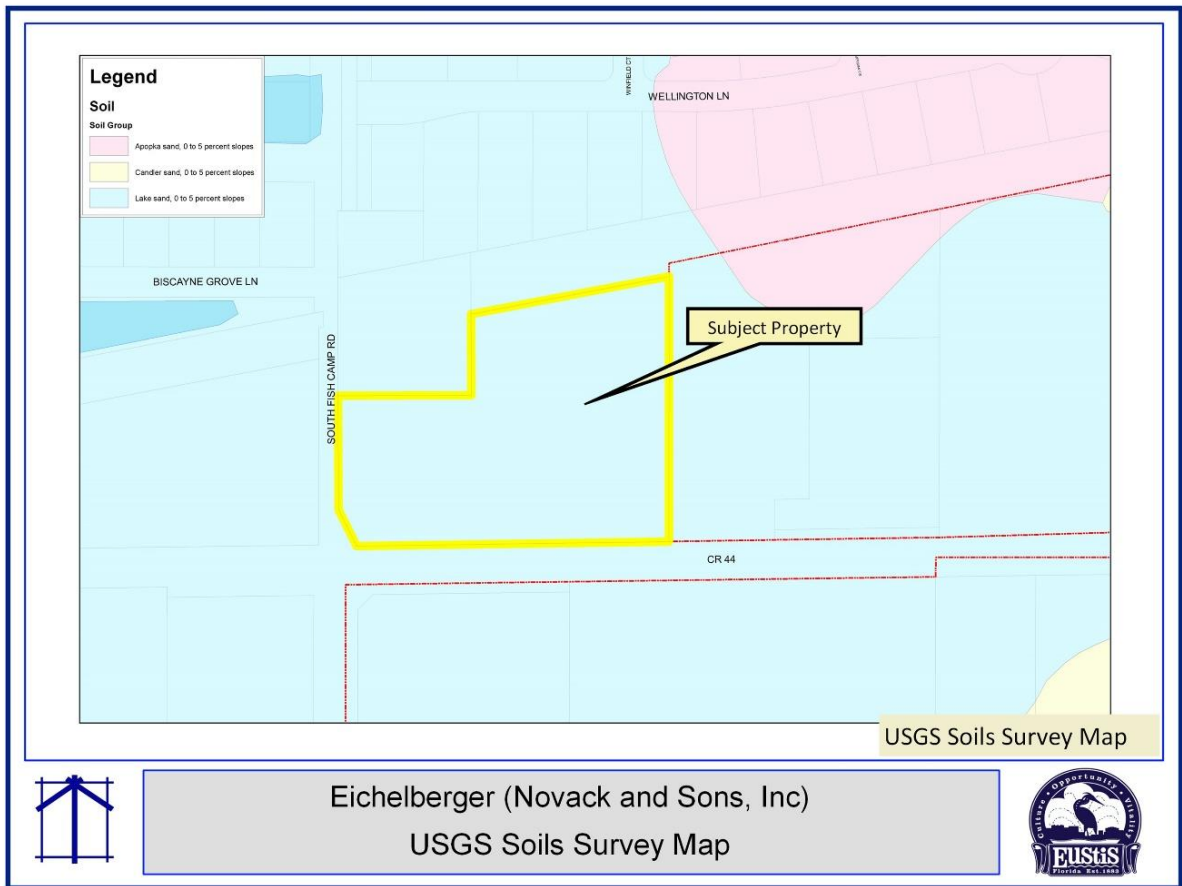
The City does not have any record of Florida Master Site Files related to this property and no known historical or cultural resources exist.

11. Flood zones:

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

12. Soil and topography:

The soil on the site is mainly made up of Lake sands. The Lake series is composed of highly drained, quickly to very quickly permeable soils that were created in large deposits of sand..



13. Comprehensive Plan Review:

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

Existing Land Use According to the Lake County Comprehensive Plan:

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

Proposed Land Use According to the Eustis Comprehensive Plan:

The Mixed Use Commercial Residential (MCR) land use designation is intended to regulate the character and scale of commercial uses so as to minimize their impacts on adjacent roadways and to promote their compatibility with adjacent or nearby residential uses.

General Range of Uses: *This category accommodates a mix of residential, commercial, office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted.*

Maximum Density: *Residential densities may not exceed 12 dwelling units per net buildable acre.*

Intensity Range: *up to 2.5 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.*

Mix Requirements: *There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated MCR. For the mixed land use category MCR, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:*

Residential: 15% - 25% of total MCR Acreage

Commercial/Office: 75% - 85% of total MCR acreage

Comparison of Lake County Development Conditions

The land use designations of residential properties within the City of Eustis in the surrounding area are generally Mixed Commercial Residential (MCR) with a maximum density of 12 dwelling units per acre (du/ac) and allow for commercial development consistent with the General Commercial uses of the Comprehensive Plan and the Land Development Regulations.

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

Proposed Residential Land Uses.

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

This area is predominantly residential in nature with commercial uses at the major intersection of Fish Camp Road and County Road 44, the proposed Future Land Use will allow commercial and residential uses.

Proposed Non-Residential Land Uses.

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

Not applicable.

14. Transportation:

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

The use of the land will be evaluated at the time of development. The proposed land use is consistent with the existing designation to the east and south .

15. Water Supply:

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

City water service and other services are available. The City's adopted Water Supply Plan anticipated additional growth consistent with this development, so both supply and capacity are available.

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

Standards for Review:

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

1. *Consistent with Comprehensive Plan:*

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

The proposed amendment is consistent with the Comprehensive Plan.

2. *In Conflict with Land Development Regulations:*

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

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

3. *Inconsistent with Surrounding Uses:*

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

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

4. *Changed Conditions:*

Whether there have been changed conditions that justify an amendment.

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

5. *Demand on Public Facilities:*

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

City water and sewer services are available and, in close proximity to Adequate capacity is available to serve future development consistent with the requested Mixed Commercial Resient future land use designation.

Upon annexation, the City will also provide other services such as fire and police protection, library services, parks, and recreation. The City provides these services to other properties in the area, so efficiency will improve.

6. *Impact on Environment:*

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

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

7. *Orderly Development Pattern:*

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

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

8. *Public Interest and Intent of Regulations:*

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

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

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

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

9. *Other Matters:*

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

No other matters.

Analysis of Design District Request (**Ordinance Number 23-17**):

Form-Based Code:

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

1. *Standards for Review:*

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

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

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

The requested amendment assigns a newly annexed parcel a designation that meets the district pattern and intent (Suburban Corridor). The Suburban development pattern and intent, and the Suburban Corridor definition, structure, and form description are stated below. The assignment of a Suburban Corridor design district designation is appropriate due to the established and proposed development patterns in the area.

3. *Sec. 109-3.4. Suburban development pattern intent statements:*

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

Design districts – Suburban Corridor

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

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

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

The Suburban development patterns statement above indicates that residential uses are primarily located on streets with fewer vehicle connections. A Suburban

Corridor designation follows the district pattern and intent outlined in the Development Regulations and is consistent with the existing transect in the area.

4. **Section 102-17(a)**

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

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

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

5. **Consistent with Comprehensive Plan:**

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

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

6. **Consistent with Surrounding Uses:**

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

The Suburban Corridor definition, structure, and form are compatible with the existing uses and any proposed uses permitted under the Mixed Commercial Resient future land use designation.

7. **Changed Conditions:**

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

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

8. **Public Facilities.**

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

A redistricting is not proposed. Assigning a design district to an annexation property will not change the demand impact on public facilities. The Future Land Use designation controls the density and intensity permitted on the site, so the Design District map amendment would not result in impacts beyond that already anticipated. Also, see the analysis of public facilities in the above sections of this report.

9. *Impact on the Environment:*

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

The proposed Design District designation for this property does not change the development potential of the parcel. Design Districts control the form and function of any development that does occur. The Future Land Use designation controls the density, intensity, and minimum open space permitted on the site, so the Design District amendment would not result in additional impacts on the natural environment. As building permit approval must be obtained before development can begin, the Comprehensive Plan and the Land Development Regulations include standards for the protection of environmentally sensitive lands that would apply should the conditions at the time of development warrant such protection.

10. *Property Values:*

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

Redistricting is not being proposed; a Eustis design district designation must be assigned to the annexed property. This request should not affect property values, because the proposed Design District designation is consistent with the surrounding development patterns and design districts.

11. *Orderly Development Pattern:*

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

The request is the assignment of a design district to an annexation parcel, not redistricting. However, the proposed Design District designation is consistent with the suburban development pattern identified in Section 109-5.5 of the Land Development Regulations. Assignment of the requested designation will result in a more orderly and logical development pattern; making the designation consistent with the surrounding area designations and established development patterns.

12. *Public Interest and Intent of Regulations:*

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

The request is the assignment of a design district to an annexation parcel, not redistricting. The proposed Design District is not in conflict with the public interest and reflects the purpose and intent of the regulations.

13. *Other Matters:*

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

The request is the assignment of a design district to an annexation parcel, not redistricting. The City's Land Development Regulations are a form-based code. The Design District designations define the development form, but not the types of land use, densities, intensities, or required open space. The districts, therefore, must be consistent and follow the urban, suburban, and rural transects. This request assigns a Suburban Corridor design district designation to an annexation parcel, which is consistent with the existing transect.

Applicable Policies and Codes

1. Resolution Number 87-34

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

Florida Statutes Chapter 171.044: Voluntary Annexation:

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

2. Comprehensive Plan – Mixed Commercial Residential (MCR)

This land use designation is intended to regulate the character and scale of commercial uses so as to minimize their impacts on adjacent roadways and to promote their compatibility with adjacent or nearby residential uses.

General Range of Uses: This category accommodates a mix of residential, commercial, office, institutional, and schools. Public and utility services that are 5 acres or less in size are also permitted.

Maximum Density: Residential densities may not exceed 12 dwelling units per net buildable acre.

Intensity Range: up to 2.5 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.

Mix Requirements: There are proportional requirements and limitations regarding the amount of residential and non-residential uses allowable in an area designated MCR. For the mixed land use category MCR, the city establishes, and shall monitor on a citywide basis, a mix of uses as follows:

Residential: 15% - 25% of total MCR acreage
 Commercial/Office: 75% - 85% of total MCR
 acreage

The composition and mix for each proposed development will be determined on a case-by-case basis during the development review process. Specific uses permitted will be monitored by the city to ensure continuity and compatibility with adjacent land uses. Individual properties may develop residentially or commercially, provided that all applicable criteria set forth herein are met.

Special Provisions:

Future amendments to designate areas as MCR shall be permitted only along arterial and collector roads and in certain neighborhoods that meet the following conditions:

- a. where the arterial road frontage is generally undeveloped, residential development may be feasible and will be encouraged;
- b. strip commercial development shall be minimized, including actions that would extend or expand existing strip development;
- c. the arterial road frontage contains an existing mix of viable commercial and residential uses;
- d. the clustering of viable commercial businesses within or adjacent to residential neighborhoods is determined to not have a detrimental visual or operational impact on such adjacent or nearby residential uses;
- e. Developments within the Wekiva Protection Overlay that include longleaf pine, sand hill, sand pine, and xeric oak communities shall protect these areas as dedicated open space or conservation easements, with total open space equal to at least 35% of the net buildable area.

Land Development Regulations Section 109-5.5(b)(1): The Suburban Corridor Design District has predominately residential uses with some neighborhood-scale commercial services with interconnected trails, bikeways, and walkways with a street framework comprised of a range of blocks permitted throughout the neighborhoods.

Land Development Regulations Section 109-3 (Table 1) and Section 109-2.6: Mixed Commercial Resient land use has a maximum density of 12 units to one-acre *and* is intended to regulate the character and scale of commercial and residential uses so as to minimize their impacts on adjacent roadways and to promote their compatibility with adjacent or nearby land uses, and provide for mixed-use development.

Recommended Action:

Development Services recommends approval of Ordinance Numbers 23-15, 23-16, and 23-17.

Policy Implications:

None

Alternatives:

1. Approve Ordinance Numbers 23-15 (Annexation), 23-16 (Comp. Plan Amendment), and 23-17 (Design District Designation).
2. Deny Ordinance Numbers 23-15, 23-16, and 23-17.

Budget/Staff Impact:

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

Prepared By:

Jeff Richardson, AICP, Deputy Development Services Director

Reviewed By:

Mike Lane, AICP, Development Services Director

ORDINANCE NUMBER 23-15

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, VOLUNTARILY ANNEXING APPROXIMATELY 4.63 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1213177, GENERALLY LOCATED AT THE NORTHEAST CORNER OF CR 44 AT THE INTERSECTION WITH SOUTH FISHCAMP ROAD.

WHEREAS, Richard and Cindy Eichelberger, as the legal owners of record, have authorized Adam Novack, President of Novack and Sons, Inc, to make an application for voluntary annexation of approximately 4.63 acres of real property located at the northeast corner of CR 44 at the intersection with South Fishcamp Road, more particularly described as:

Parcel Alternate Key: 1213177

Parcel Identification Number: 32-18-26-0001-000-01200

Legal Description:

BEG ON CENTERLINE OF HWY ON W LINE OF SE 1/4 OF NE 1/4, RUN N 292.12 FT, E 219.78 FT, N TO RR, NE ALONG RR TO PT 549.5 FT E OF W LINE OF SE 1/4 OF NE 1/4, S TO HWY, W TO POB--LESS RD R/W & LESS BEG AT INTERSECTION OF N R/W LINE OF CR 44 & E'LY R/W LINE OF SOUTH FISHCAMP RD, RUN N 89-14-43 E 30 FT ALONG SAID N R/W LINE OF CR 44, N 26-40-57 W 66.72 FT TO E'LY R/W LINE OF SAID S FISHCAMP RD, S 0-02-25 W 60 FT FOR POB FOR ADDITIONAL RD R/W-- ORB 490 PG 374 ORB 1014 PG 258 ORB 1662 PG 813 ORB 4399 PG 404

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

WHEREAS, the subject property is reasonably compact and contiguous and continues the incorporation of enclave properties; and

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

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

WHEREAS, on September 7, 2023, the City Commission held the 1st Public Hearing to consider the voluntary annexation of the property contained herein; and

WHEREAS, on September 21, 2023, the City Commission held the 2nd Public Hearing to consider the voluntary annexation of the property contained herein

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

SECTION 1.

That pursuant to, and under the authority of, Florida Statute 171.044, the City of Eustis, Lake County, Florida, does hereby annex and amend the municipal boundaries to include approximately 4.63 acres of real property, as described above.

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

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

SECTION 6.

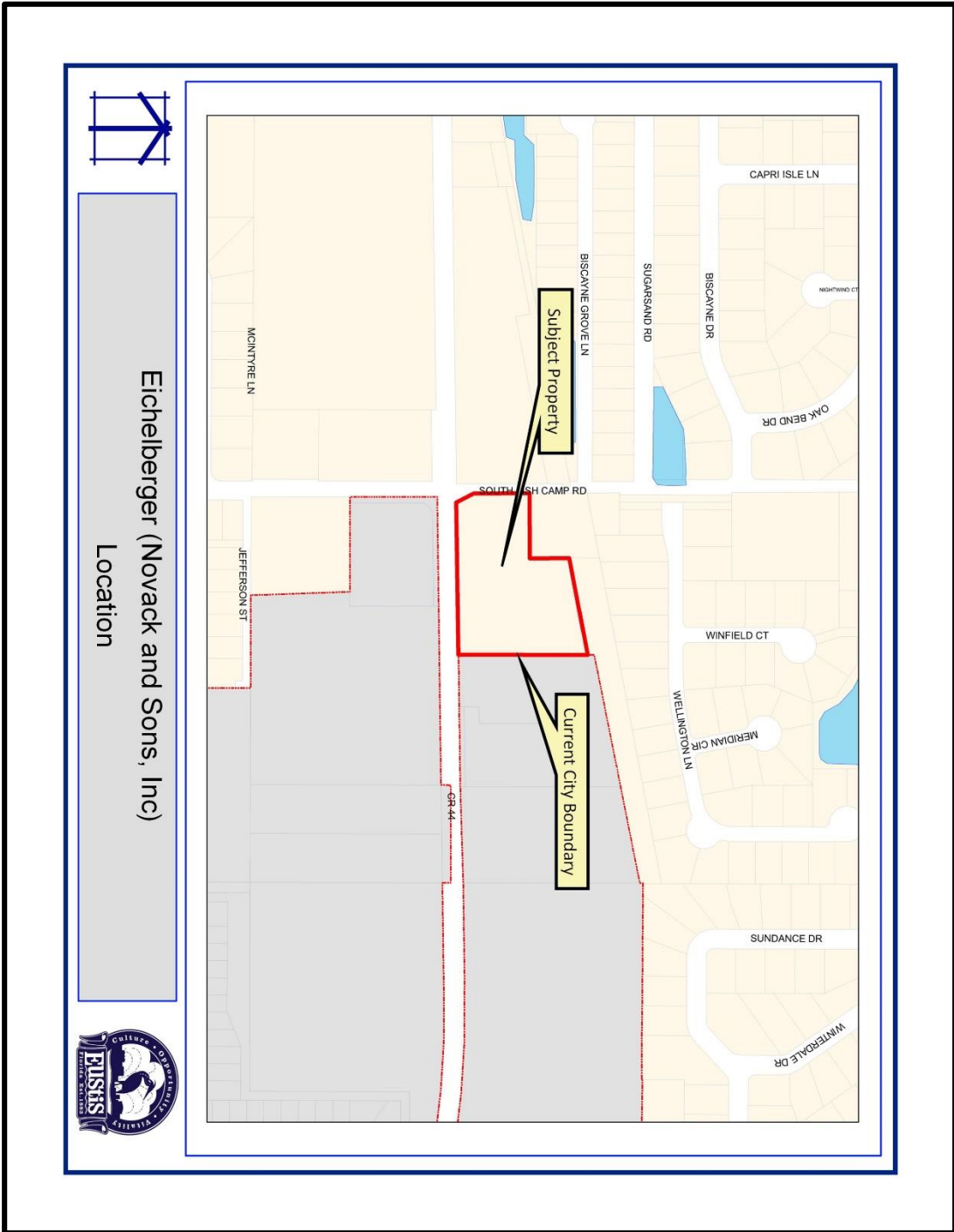
That this Ordinance shall become effective upon passing.

SECTION 7.

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

EXHIBIT "A"

GENERAL LOCATION MAP



ORDINANCE NUMBER 23-16

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187 F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 4.63 ACRES OF REAL PROPERTY AT ALTERNATE KEY NUMBER 1213177, GENERALLY LOCATED AT THE NORTHEAST CORNER OF CR 44 AT THE INTERSECTION WITH SOUTH FISHCAMP ROAD, FROM URBAN LOW IN LAKE COUNTY TO MIXED COMMERCIAL RESIDENTIAL IN THE CITY OF EUSTIS.

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

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

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

WHEREAS, the City of Eustis desires to amend the Future Land Use Map Series to change the Future Land Use designation on approximately 4.63 acres of real property located at the northeast corner of CR 44 at the intersection with South Fishcamp Road. (Alternate Key Number 1213177), and more particularly described herein as Exhibit "A"; and

WHEREAS, on September 7, 2023, the Local Planning Agency held a Public Hearing to consider the adoption of a Small-Scale Future Land Use Amendment for this change in the designation; and

WHEREAS, on September 7, 2023, the City Commission held the 1st Adoption Public Hearing to accept the Local Planning Agency's recommendation to adopt the Small-Scale Future Land Use Amendment contained herein; and

WHEREAS, on September 21, 2023, the City Commission held the 2nd Adoption Public Hearing to consider the adoption of the Small-Scale Future Land Use Amendment contained herein as Exhibit "B";

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

SECTION 1.

Land Use Designation: That the Future Land Use Designation of the real property as described below shall be changed from Urban Low in Lake County to Mixed Commercial Residential (MCR) within the City of Eustis:

Parcel Alternate Keys: 1213177

Parcel Identification Number: 32-18-26-0001-000-01200

Legal Description:

BEG ON CENTERLINE OF HWY ON W LINE OF SE 1/4 OF NE 1/4, RUN N 292.12 FT, E 219.78 FT, N TO RR, NE ALONG RR TO PT 549.5 FT E OF W LINE OF SE 1/4 OF NE 1/4, S TO HWY, W TO POB--LESS RD R/W & LESS BEG AT INTERSECTION OF N R/W LINE OF CR 44 & E'LY R/W LINE OF SOUTH FISHCAMP RD, RUN N 89-14-43 E 30 FT ALONG SAID N R/W LINE OF CR 44, N 26-40-57 W 66.72 FT TO E'LY R/W LINE OF SAID S FISHCAMP RD, S 0-02-25 W 60 FT FOR POB FOR ADDITIONAL RD R/W-- ORB 490 PG 374 ORB 1014 PG 258 ORB 1662 PG 813 ORB 4399 PG 404.

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

SECTION 2.

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

SECTION 3.

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

SECTION 4.

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

SECTION 5.

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

PASSED, ORDAINED AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 21st day of September 2023.

**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 21st day of September 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 the use and reliance of the Eustis City Commission.

City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 23-16 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

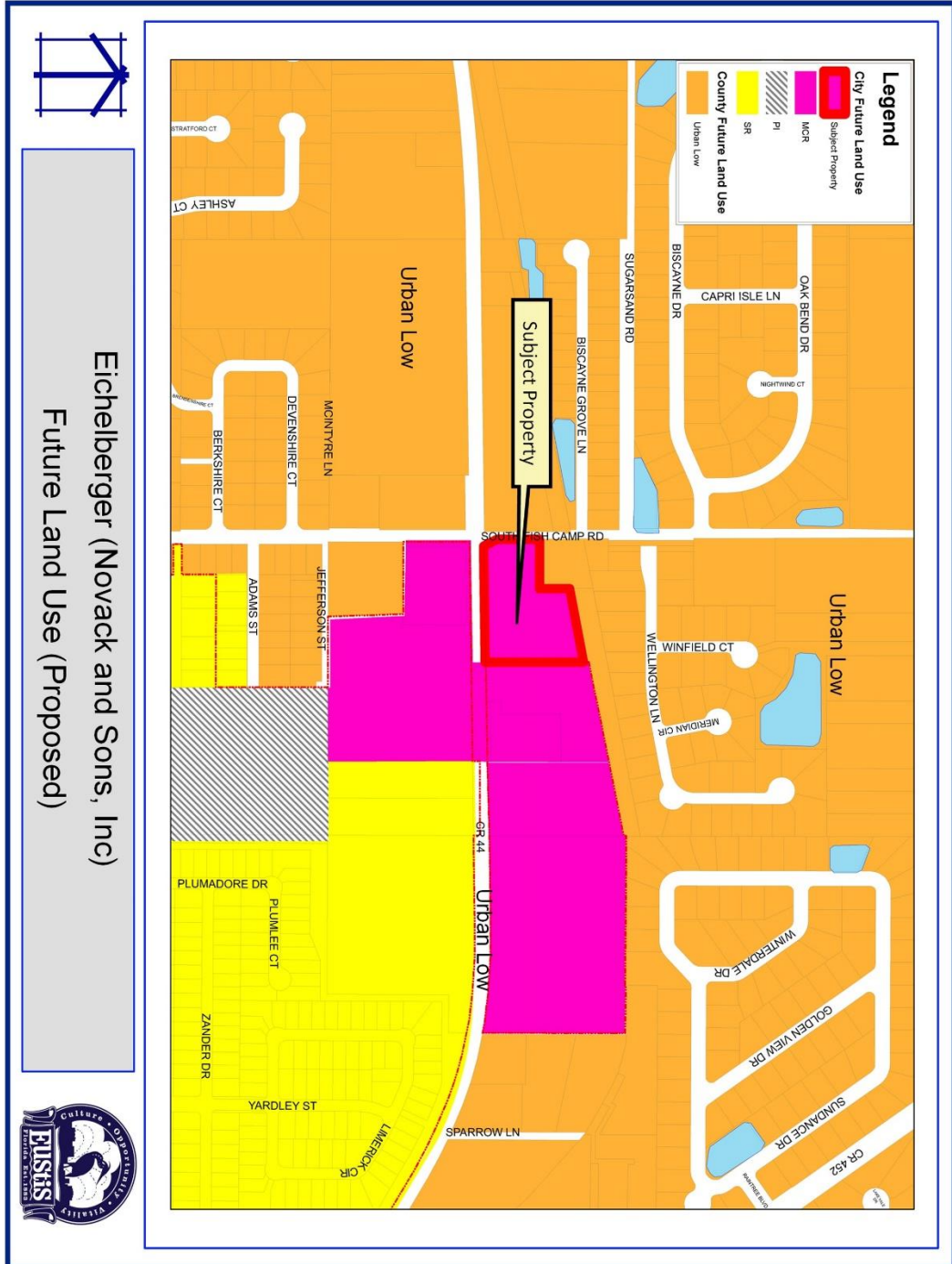
EXHIBIT "A"

Legal Description:

BEG ON CENTERLINE OF HWY ON W LINE OF SE 1/4 OF NE 1/4, RUN N 292.12 FT, E 219.78 FT, N TO RR, NE ALONG RR TO PT 549.5 FT E OF W LINE OF SE 1/4 OF NE 1/4, S TO HWY, W TO POB--LESS RD R/W & LESS BEG AT INTERSECTION OF N R/W LINE OF CR 44 & E'LY R/W LINE OF SOUTH FISHCAMP RD, RUN N 89-14-43 E 30 FT ALONG SAID N R/W LINE OF CR 44, N 26-40-57 W 66.72 FT TO E'LY R/W LINE OF SAID S FISHCAMP RD, S 0-02-25 W 60 FT FOR POB FOR ADDITIONAL RD R/W-- ORB 490 PG 374 ORB 1014 PG 258 ORB 1662 PG 813 ORB 4399 PG 404.

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

EXHIBIT "B"



ORDINANCE NUMBER 23-17

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA; ASSIGNING THE SUBURBAN CORRIDOR DESIGN DISTRICT DESIGNATION TO APPROXIMATELY 4.63 ACRES OF RECENTLY ANNEXED REAL PROPERTY AT ALTERNATE KEY NUMBER 1213177, GENERALLY LOCATED AT THE NORTHEAST CORNER OF CR 44 AT THE INTERSECTION WITH SOUTH FISHCAMP ROAD

WHEREAS, the City of Eustis desires to amend the Design District Map of the Land Development Regulations adopted under Ordinance Number 09-33 to assign a Design District designation of Suburban Corridor to approximately 4.63 acres of recently annexed real property further described below, and

WHEREAS, on September 7, 2023, the City Commission held the 1st Public Hearing to consider the Design District Amendment contained herein; and

WHEREAS, on September 21, 2023, the City Commission held the 2nd Public Hearing to consider the adoption of the Design District Amendment contained herein;

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

Section 1. Design District Designation

That the Design District Designation of the real property described below, and more specifically in Exhibit "A", and shown on the map in Exhibit "B", shall be Suburban Corridor:

Parcel Alternate Keys: 1213177

Parcel Identification Number: 32-18-26-0001-000-01200

Section 2. Map Amendment

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

Section 3. Conflict

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

Section 4. Severability

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

Section 5. Effective Date

That this Ordinance shall become effective upon the annexation of the

subject property through approval of Ordinance Number 23-15.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 21st day of September 2023.

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 21st day of September 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 the use and reliance of the Eustis City Commission.

City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Ordinance Number 23-17 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk

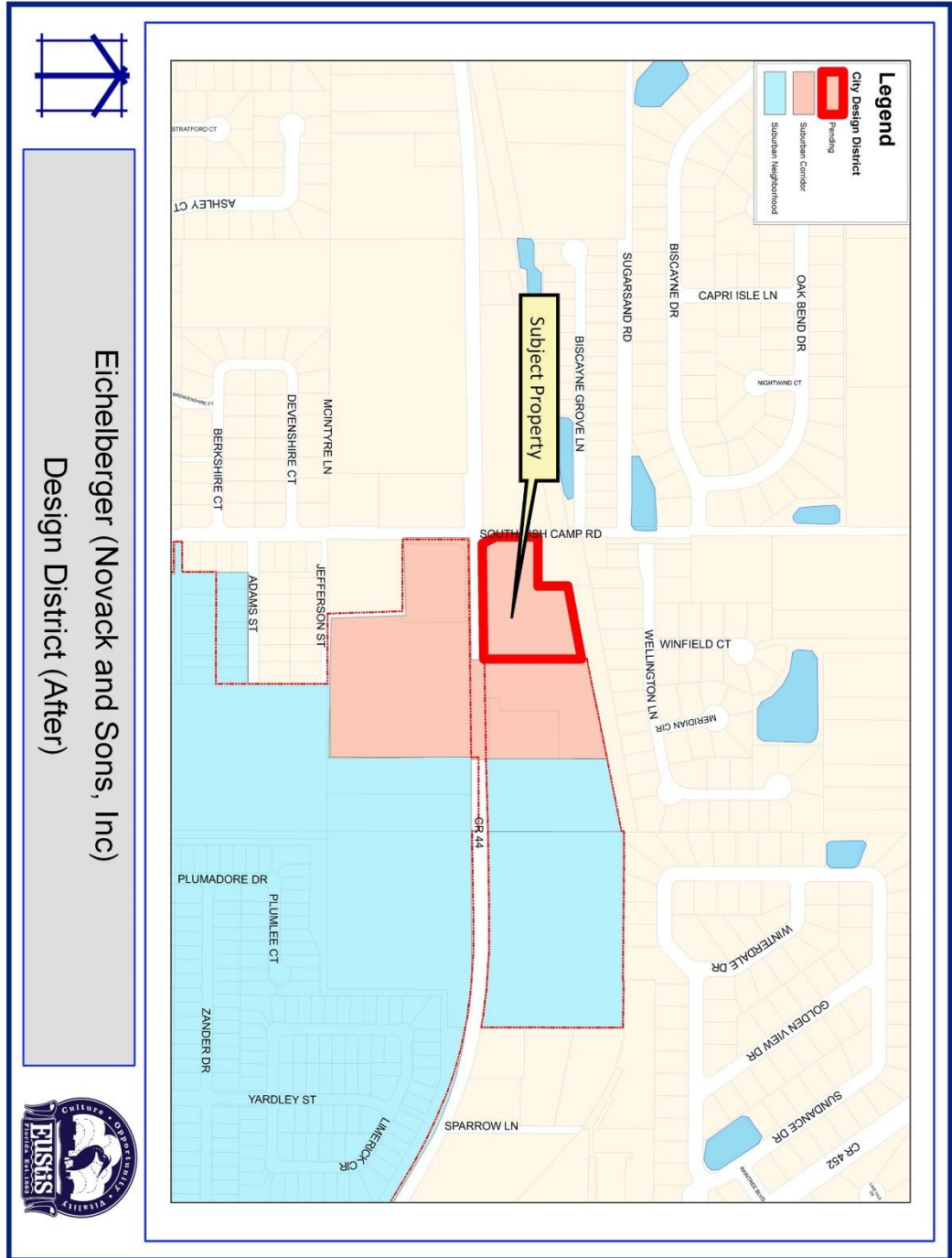
EXHIBIT "A"**LEGAL DESCRIPTION:**

Legal Description:

BEG ON CENTERLINE OF HWY ON W LINE OF SE 1/4 OF NE 1/4, RUN N 292.12 FT, E 219.78 FT, N TO RR, NE ALONG RR TO PT 549.5 FT E OF W LINE OF SE 1/4 OF NE 1/4, S TO HWY, W TO POB--LESS RD R/W & LESS BEG AT INTERSECTION OF N R/W LINE OF CR 44 & E'LY R/W LINE OF SOUTH FISHCAMP RD, RUN N 89-14-43 E 30 FT ALONG SAID N R/W LINE OF CR 44, N 26-40-57 W 66.72 FT TO E'LY R/W LINE OF SAID S FISHCAMP RD, S 0-02-25 W 60 FT FOR POB FOR ADDITIONAL RD R/W-- ORB 490 PG 374 ORB 1014 PG 258 ORB 1662 PG 813 ORB 4399 PG 404.

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

EXHIBIT "B"





City of Eustis

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: SEPTEMBER 21, 2023

RE: ORDINANCE NUMBER 23-23 ANNUAL UPDATE OF THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE OF THE COMPREHENSIVE PLAN FISCAL YEAR 2024-28

Introduction:

This report seeks acceptance of the City of Eustis Five Year Capital Improvement Plan (CIP) FY 2024-2028. Ordinance Number 23-23 approves the FY 2024-28 annual update of the Five-Year Capital Improvements Schedule of the Comprehensive Plan under F.S. 163.3177(3)5(b).

Background:

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

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

1. Risk
 - a. Eliminates a current or future safety concern
 - b. Addresses a hazardous condition
 - c. Replaces or updates equipment or facilities that are not efficient or functionally serving their intended purpose
 - d. Meets pending compliance requirements from other agencies
 - e. Maintains City assets at a level adequate to protect the City's investment and minimize future maintenance and replacement costs (This would include Comprehensive Plan service level deficiencies)
2. Return on Investment
 - a. Highly visible projects
 - b. The benefit of the project outweighs the cost of the project within a short period of time
 - c. Project has the potential to generate economic development

3. Level of Service Maintenance

- a. Projects that need to be completed to maintain the City's desired service levels

4. Improved Level of Service

- a. Projects that provide a new service or improve the current level of service based on increased demand

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

- Sales Tax Fund, CRA, Street Improvement, Stormwater, Greenwood Cemetery, Law Enforcement Capital Expansion, and Water & Sewer revenue projections include a 3% annual increase for FY 23/24 and 24/25 due to inflation.
- Stormwater, Water & Sewer revenue projections include a 3% increase per year for FY 24/28 due to new subdivision revenue.
- Going forward, expenditure projections include a 5% annual increase for all funds for FY 24/28 due to inflation projected easing.

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

- Public Safety Combined Complex (PW Dept. - Facilities) - \$13,250,000
- Bates Main WWTP Expansion - Wastewater Dep. (PW Dept. - Wastewater) - \$12,187,942
- Pumper Engine Replacement (Fire Dept.) - \$750,000
- Vehicles Replacement (Police Dept.) - \$315,000
- Floating Dock Replacement (PW Dept. - Utilities) - \$345,446
- Vac Truck (PW Dept - Stormwater) - \$320,000
- Stormwater Camera (PW Dept. - Stormwater) - \$300,000
- Street Sweeper (PW Dept. - Stormwater) - \$400,000
- Pine Meadows Golf Course Rd Bridge Replacement (PW Dept. - Transport.) - \$600,000
- Unimproved Roads Engineering Design (PW Dept - Transportation) - \$500,000
- Signalization Camera (PW Dept. - Transportation) - \$420,000
- Street Resurfacing Citywide (PW Dept. - Transportation) - \$2,419,079
- Sidewalk Replacements Citywide (PW Dept. - Transportation) - \$510,000
- Aquatic Center Renovation (Parks & Rec Dept.) - \$3,000,000
- Palmetto Plaza Hardscape (CRA) - \$369,000
- Ferran Park Seawall (Parks & Rec. Dept.) - \$975,000
- Coolidge Water Main Expansion (PW Dept. - Water) - \$1,000,000
- Coolidge Sewer Main Expansion (PW Dept. - Water) - \$1,800,000
- Water Department Office & Compound CR44 (PW Dept. - Water) - \$800,000
- Eastern Force Main Extension (PW Dept. - Wastewater) - \$400,000
- Floating Solar Panels (PW Dept. - Wastewater) - \$1,500,000
- Camera Vehicle (PW Dept. - Wastewater) - \$450,000
- Sorrento Pines Waterline and Reclaimed Water (PW Dept. - Wastewater) - \$325,000
- Eastern Water Main Expansion - (PW Dept. - Water Impact) - \$300,000
- Eastern Reclaimed Water Main Expansion (PW Dept - Water Impact) - \$300,000
- Rosenwald Gardens Roads (PW Dept. - Transportation) - \$4,000,000
- New Water Meter Service Sets (PW Dept. - Water Impact) - \$600,000

The process of CIP development takes place each year, enabling the City to assess projects in light of evolving circumstances and changing focal points. The plan underwent thorough examination by the staff and the City Commission, and the final draft is now put forth for approval.

The cumulative CIP amount for the upcoming five years stands at \$79,112,268. The capital projects scheduled for FY 2023-24 will be integrated into the forthcoming annual operating budget slated for release in September 2023, with a collective value of \$26,187,515.

Recommended Action

Staff recommends approval of Ordinance Number 23-23.

Alternatives

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

Discussion of Alternatives

1. Approve the Ordinance
 - a. Advantages
 - i. The action fulfills the statutory requirement
 - ii. The Commission has previously accepted the same updated schedule
 - b. Disadvantages
 - i. There is no disadvantage to approving the Ordinance
2. Deny the Ordinance
 - a. Advantages
 - i. The Commission could consider another revised schedule of capital improvement
 - b. Disadvantages
 - i. Potential failure to comply with statutory requirements in a timely manner

Community Input

Staff properly advertised the Ordinance and invited public input during the September 21st, 2023 meeting.

Budget/Staff Impact

There is no specific staff or budget impact associated with the Ordinance other than the obvious budgetary impact of the plan itself, which is included in the proposed Adopted Budget presented at the September 21st, 2023, City Commission meeting held at the City Commission Chambers.

Prepared By:

Nailya Harnisch, Deputy Finance Director

Reviewed By:

Mike Sheppard, Finance Director

Attachment: City of Eustis Capital Improvement Plan book FY 2024-2028 is presented at the meeting.

ORDINANCE NUMBER 23-23

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING THE ANNUAL UPDATE OF THE FIVE-YEAR CAPITAL IMPROVEMENT SCHEDULE OF THE COMPREHENSIVE PLAN UNDER FLORIDA STATUTES 163.3177(3)5(b); PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, AND EFFECTIVE DATE.

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

WHEREAS, the City Commission has reviewed the Capital Improvement Element and accepted the Five-Year Capital Improvement Plan for Fiscal Year 2024 through the Fiscal Year 2028;

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

Section 1.

The Capital Improvement Plan for Fiscal Year 2024 through the Fiscal Year 2028 is hereby adopted as the annual update of the Five-Year Capital Improvement Schedule in the Capital Improvement Element based on the Comprehensive Plan requirements.

Section 2.

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

Section 3.

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

Section 5.

That this Ordinance shall become effective immediately on passing.

PASSED, ORDAINED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this 5th of October 2023.

CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA

Michael L. Holland
Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk



City of Eustis

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

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: September 21, 2023

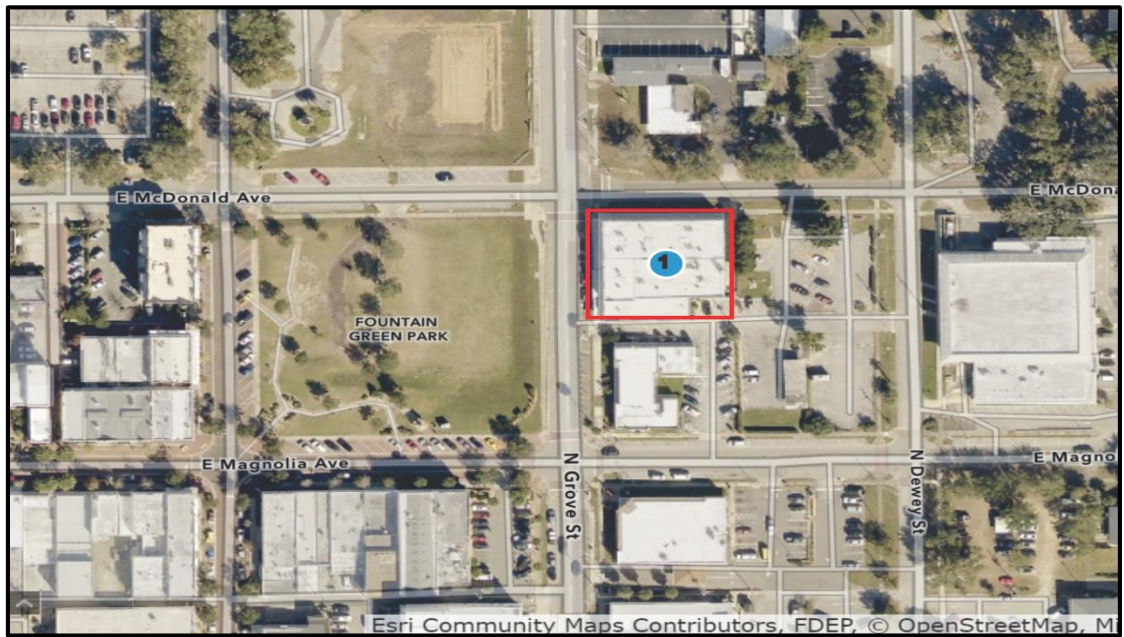
RE: Ordinance Number 23-24: **FIRST READING** OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A CONDITIONAL USE PERMIT FOR A SCHOOL IN THE CENTRAL BUSINESS DISTRICT (CBD) FUTURE LAND USE DISTRICT, LOCATED AT 135 N. GROVE STREET.

Introduction:

Ordinance Number 23-24 approves a Conditional Use Permit for allowance of a school in the Central Business District (CBD) future land use district for property located at 135 N. Grove Street (Alternate Key Number 1243025).

Background:

- a. The site is developed with a commercial building of 7,022 square feet, within the Central Business District (CBD). The Design District for this building is Urban Center (UCE).



Applicant's Request:

The applicant requests a Conditional Use Permit to allow a school within the northern portion of the building located at 135 N. Grove Street and in the Central Business District (CBD) future land use district.

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 109-4 (Use Regulations Table) allows a mixed-use area encompassing downtown Eustis where a combination of commercial, institutional, office and residential uses are allowed. Those uses which require conditional use permit approval in the Central Business District (CBD) land use district include hospitals, wireless communications towers and all schools.

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

This request for allowance of a school in the Central Business District (CBD) is generally consistent with the goals and objectives of the City's Comprehensive Plan, which has schools identified in the General Range of Uses within the Central Business District. The exterior appearance would not vary as it was previously occupied as a dance studio.

Additional Applicable Policies and Codes:

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

The Comprehensive Plan: The Central Business District (CBD) land use applies to a combination of commercial, institutional, office and residential uses. The purpose is designed to support this mixed use area at comparatively high densities. As previously stated, the category accommodates the mixture of uses including commercial, residential, institutional, industrial, office and schools.

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.

Section 109-4 (Use Regulations Table) allows a school as a conditional use within the CBD land use district.

Policy Implications:

Approval or denial of this waiver request to grant approval of a conditional use to permit a school at 138 N. Grove Street could set a precedent for the review of similar requests in the future; however, this could be an opportunity as well to show flexibility and also offer a variety of options within the CBD.

Alternatives:

1. Approve Ordinance Number 23-24.
2. Deny Ordinance Number 23-24.

Discussion of Alternatives:

Alternative 1 approves Ordinance Number 23-24.

Advantages:

1. The project may move forward with site modifications.
2. A new private school will be available in Eustis.
3. The structure will be occupied and maintained.
4. The proposed use will be compatible with the surrounding uses as the type of activity proposed should be low impact.

Disadvantages:

1. Approval of a private school in the building could prompt other requests for other types of schools in this area, which could change the character of the area.

Alternative 2 denies Resolution Number 23-24.

Advantages:

1. No private school will exist in this plaza, primarily occupied by more business oriented tenants.

Disadvantages:

The City could lose the opportunity of having another new private school in the city limits.

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 other than providing standard City services to the development. There would be no additional staff time beyond the normal plan review process and building inspection.

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. Upon approval of this request, the planning department would still expect to see a sign permit application and a Business Tax Receipt (BTR) for this unit from the applicant, as well as, allowing the Building Official and Fire Marshal to determine if this application is considered a change-of-use and review whether this use will increase the unit's occupancy load.

Prepared By:

Mike Lane, AICP, Director, Development Services Department

Attachment:

Proposed Ordinance Number 23-24

ORDINANCE NUMBER 23-24

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, APPROVING A CONDITIONAL USE PERMIT FOR A SCHOOL IN THE CENTRAL BUSINESS DISTRICT (CBD) FUTURE LAND USE DISTRICT LOCATED AT 135 N. GROVE STREET.

WHEREAS, Sarah Campbell, representative and tenant for North Central Place, LLC, property owner, has applied for a Conditional Use Permit for a school to utilize a portion of the building located at 135 N. Grove Street; and

WHEREAS, the subject property has a Land Use Designation of Central Business District (CBD) and a Design District Designation of Urban Center; and

WHEREAS, a school is permitted as a Conditional Use in the Central Business Land Use District; 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 September 21, 2023, the City Commission held the 1st Public Hearing to consider the Conditional Use Permit; and

WHEREAS, on October 5, 2023, 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 a school at the building located at 135 North Grove Street, more particularly described as:

EUSTIS PB 1 PG 79 LOTS 5, 6, 7, 8 BLOCK 36 ORB 4718 PG 1098

ALTERNATE KEY NUMBER: 1243025
 PARCEL NUMBER: 11-19-26-0100-036-00500

Section 2. That the conditions of approval require that the school meets all applicable provisions of the Land Development Regulations and the City Code of Ordinances and complies with the following specific conditions and limitations:

1. Obtain a sign permit for the wall sign on the building.
2. Obtain a Business Tax Receipt (BTR) for this activity/use; and
3. Allow the Building Official and the Fire Marshal to determine if a change of use permit is necessary for this portion of the building.

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 5th day of October, 2023.

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

Michael L. Holland
 Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 5th day of October, 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 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 23-24 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk



City of Eustis

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

TO: EUSTIS CITY COMMISSION
FROM: TOM CARRINO, CITY MANAGER
DATE: September 21, 2023
RE: Investment Discussion: Tryon Clear View Group Earnings Options

Introduction:

The City contracted with Tryon Clear View Group in January of 2023. They were to review Bank Fees, Credit Card Processing Fees, Telecommunications alternatives and Utility Franchise and Tax Collections.

Background:

Clear View Group approached our bank and franchisees to negotiate better outcomes as well as increase the revenue to the City. To date we have experienced savings from TD Bank as well as Duke on lighting. Savings or earnings to the city will be shared at 70/30 split over a 24-month period and billed over each month. The city receives a 100% savings and remits to Tryon Clear View Group 30% of the savings.

Utility Services

In the case of Duke, we were over charged for street lighting, as the wrong tariff was applied. The first refund from Duke on the street lights totaled a reduction in tariffs which dropped from \$84.19 to \$12.90. The total refund for past years was an over charge of \$42,106.72 and we paid Tryon Clear View \$12,632.02 for a net savings of \$29,474.70.

The monthly savings each month for the next 23 months will be \$4,919.01, and we pay \$1,475.70, a net gain of \$3,443.31.

We also have another potential savings which has to be confirmed by Duke. Annual savings is potentially \$9,474.76 a year. Once validated the monthly savings will be \$789.50 less a 30% payment of \$236.80, for a net savings of \$552.70.

Tryon is still working with Duke, SECO and TECO to validate the information sent to us to ensure that Franchise and Utility Tax payments are correct. They will look at other possible savings with these companies as well.

Telecommunication Services

Both Tryon and our IT department are exploring a switch from our current provider to another with potential monthly savings of \$267.92. This would result in a monthly fee to Tryon of \$80.38, providing a net savings of \$187.54 or \$2,250.40 annually, This is still being examined to ensure that we still have the same quality of service.

Banking Services

Previously all banking arrangements were based on a compensating balance component during the bid process. A designated amount was identified to cover any and all banking related fees. The amount set aside did not earn interest. During the past three years with very low interest earnings, this method may have been the best alternative. TD Bank has indicated that the prevalent method for governments is to establish the banking relations through a compensating balance. This has been the method utilized by the city for many years. However, TD Bank has worked with Tryon Clear View to establish favorable rates for their service as well as offering increased earnings.

In April of 2020, interest earnings dropped from \$6,418.13 to an average of \$1,483.88 through December of 2020. The average earnings for 2021 were 884.13 for annual earnings of \$10,609.51. This continued through June of 2022.

In July the earnings jumped from \$1,499.04 in June to \$4,338.11, providing average earnings of \$8,949.40 for the balance of the year.

With the new arrangement the interest rate went from 2.65% to 3.50%. The increase in earnings was \$40,324 in May and the fee was \$12,097.20 for a net increase in monthly earnings of \$28,226.80. In June, the gross savings was \$39,118.00 less the fee of \$11,735.40 for a net increase of \$27,382.60. Each month the savings are reflected to the monthly cash balance times the rate earned over the original interest rate.

Due to staffing the city has utilized CD's primarily as a means of investments. The Financial Institutions must be a Qualified Public Depository. Years ago, we did invest money in a registered money market fund (Franklin Trust Fund) which lost money. We did make it up buying and selling Treasuries and Federal Agencies and other instrumentalities (Fannie Mae, Freddie Mac and the Federal Home Loan Banks). These are liquid but value is determined by the market.

With regards to TD Bank, the City has a very strong relationship. Any issues that arise can be directed to the Jacksonville office and resolved very expediently through the Vice President of Government Banking. Since they won the bid, it seems appropriate that the majority of the funds invested should stay with this organization. They did not change any fees when we elected to move off the compensating balance. We simply increased the interest earnings.

Tryon Clear View wants us to move up to \$30,000,000 to \$35,000,000 of the funds into Treasury or other government agencies. Both are allowed under the investment policy (Attached), however, using either of these methods also require the payment of Trust fees which could amount to 10 or 15 bases points; reducing the yield. Additionally, the market value of these instruments is affected by the rise and fall of the interest rates.

Certificates of Deposit (CD's) are a fixed rate with no trust fees required. They can be laddered so that we can have various due dates coming forth throughout the year, the same as we could do with Treasuries and Federal Agencies.

Truist has offered securities with an estimated return of 4.95%. J.P Morgan Chase offers a Treasury bill ladder over three months with potential yields of 5.24% for 1 month, 5.07% for 2 months and 5.18% for 3 months. Both would have a trust fee associated with the transactions, which would lower the yield.

Truist is within the city limits; J.P. Morgan is in Orlando and Tampa. TD Bank (Eustis) is offering the following for CD's which do not carry a trust charge as follows:

1 month	5.68%	7 month	5.75.%	18 month	5.35%
2 month	5.69%	8 month	5.74%	24 month	5.06%
3 month	5.73%	9 month	5.72%	36 month	4.73%
4 month	5.74%	10 month	5.69%	48 month	4.51%
5 month	5.75%	11 month	5.67%	60 month	4.39%
6 month	5.75%	12 month	5.64%		

In the past we have tried to make sure that our banking relationships are within the City of Eustis. Truist, Wells Fargo, and TD Bank are the three banks large enough to handle our account. They are also among the top 10 banks in the US. Wells Fargo has never bid on our business. SunTrust and BB&T (now Truist) have both been banks holding our operating accounts.

Other CD rates found were as follows:

Truist in Eustis 12-month rates are 4.50% and 7-months for 5.00%.

Wells Fargo in Eustis relationship rates are 4.75% to 5.01% for 7-months and 5.00% to 5.26% for 11-months.

Seacoast Bank in Eustis 9-month rate is 4.25%; 11-month rate is 4.50% and 17-months at 5.00%.

Climate First Bank in Eustis 9-months for 4.69% and 5.00% 12-months.

Seaside Bank in Tavares rates are 6-months 5.00%.

FairWinds in Eustis rates for 7-months is 5.00%.

Recommendations:

As mentioned above, the change we made from using the compensating balance to paying fees and earning a higher interest rate was beneficial. The 70/30 split still provides the city with much higher earnings.

Treasury and other agencies are dependent on the market and are rated each day. A CD provides the same rate for the period of time invested. The ability to ladder helps ensure that a stream of money is available and the CD can be reinstated for the best rates available. The down side is a penalty, should the money be needed before the maturity.

The best rates at this time are being offered by TD Bank. The best rate is 5 to 7 months at 5.75%. This is the bank we have done business with, and they deserve to have the largest CD's. The other Eustis Banks above could be offered up to \$1,000,000 each, with the remaining \$15,000,000 left at TD Bank.

There are several items to consider when determining the amount of money to invest. Several large upcoming project expenditures such as the Bates Avenue Wastewater Treatment Plant and Coolidge Avenue Improvements dictate that the City maintain sufficient liquidity to cover those costs. Additionally, there was some discussion during the CIP process about using reserves to finance projects. For example, borrowing from reserves and subsequently paying those reserves back for a project like the solar panels at the Eastern Plant ponds.

Staff would not recommend implementing Tryon Clear View's proposal as it involves a lower rate of return from financial institutions with which the City does not currently have a relationship.

Prepared By:

Mike Sheppard, Finance Director

Attachment:

City of Eustis Investment Policy

Exhibit A

Procedure # 2010-01

Effective Date: July 15, 2010 - Resolution 10-43
(Amends Resolution 95-30)

CITY OF EUSTIS FINANCE DEPARTMENT POLICY AND PROCEDURES

SUBJECT: Investment Policy (F.S. 218.415)

POLICY: The City of Eustis may from time to time invest surplus public funds in order to maximize interest earnings within a minimum amount of investment risk and a high degree of investment safety in accordance with the procedures and investments authorized in Florida Statutes Chapter 218.415.

PROCEDURE: The City of Eustis may from time to time invest those surplus public funds in any of the authorized instruments as is provided for in F.S. 218.415, as may be amended from time to time.

Scope: In accordance with FS 218.415 the investment policy shall apply to all financial assets under the control of the City of Eustis in excess of those required to meet current obligations. The investment policy shall not apply to pension funds, including those funds in chapters 175 and 185, or funds related to the issuance of debt where there are other existing policies or indentures in effect for such funds.

Investment Objectives: Investment objectives shall include:

Safety of Principal – The foremost objective of this investment program is the safety of the principal of those funds within the portfolio. Investment transactions shall seek to be consistent with the other investment objectives, which are to keep capital losses at a minimum, whether they are from securities defaults or erosion of market value.

Maintenance of Liquidity – The portfolio shall be managed in such a manner that funds are available to meet reasonable anticipated cash flow requirements in an orderly manner. A laddering of securities will be maintained to assist in providing liquidity.

Return on Investment – It is the intention of the city to be conservative in the investment of our monetary funds. The idea is to maximize earnings with secure investments which have the ability to be liquidated if necessary. Return on investment is of least importance compared to safety and liquidity.

- a.) Funds designated for immediate use will be held in the cash management account.
- b.) Funds designated as short term in nature shall be available for investments which are less than 1 year
- c.) Funds designated as long term in nature shall be available for investments which exceed 1 year.

Performance Measurement: The standard rate as set forth for the interest on checking in the Cash Management program shall be the minimum earnings expected. Interest rates earned outside the cash management program shall seek a minimum of 25 bases points above the previous monthly rate paid in the Cash Management Program.

Prudence and Ethical Standards: The finance department will explore the alternatives offered in conjunction with the recommendations offered by the current consultant. Finance will look at the immediate and future needs of the funds being invested and determine the appropriate length and interest earnings available. The City has adopted the Prudent Person Rule, which states that: "Investments should be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, *not for speculation*, but for investment, considering the probable safety of their capital as well as the probable income to be derived from the investment."

Listing of Authorized Investments and Portfolio Composition: Investments authorized under this policy are to include the following or as may be amended by changes to the above Florida Statutes. Any investment authorized by the City will be performed with sufficient knowledge and understanding to know the risk associated with the investment. In no case shall the City invest in derivative products, which are financial instruments deriving their value from another financial instrument.

The investments authorized are pursuant to FS 218-415(16):

- (a) The Local Government Surplus Funds Trust, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act, as provided in s.163.01.
- (b) Security and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency.
- (c) Interest bearing time deposits or savings accounts in qualified public depositories, as defined in s. 280.02.
- (d) Certificates of Deposit in state-certified public depositories, as defined in s. 280.02.
- (e) Direct obligations of the U.S. Treasury.
- (f) Federal agencies and instrumentalities.
- (g) Certificate of Deposit Account Registry Service (CDARS)

Nothing herein contained shall be interpreted or construed to abrogate any specific provision contained in any bond Ordinance or Resolution of the City relating to the investment of bond proceeds temporarily available in specific funds or accounts, or the use of other procedures as directed by the City Commission in accordance with law.

The portfolio shall be limited to investments falling into the above classifications. Diversification of the portfolio under (e) and (f) above will strive to purchase securities having an estimated average life of 5 to 7 years even though the stated life extends beyond the 7 years. Timing of the sale will be determined by the advice of our trust officer or investments provider. While some government backed investments may carry a long face life, the average life of the investments will carry the 5 year average. The investment will also be monitored to ensure the best resale of any remaining values.

Care shall be taken that investments other than CDAR's, CD's, Qualified Money Market accounts and U.S. Treasuries shall not exceed 50% of the portfolio.

Portfolio Limitations on Federal Agencies and Instrumentalities

The total portion of these investments cannot exceed 50% of entire portfolio and are limited as follows:

Government National Mortgage Association (GNMA's) shall be in no more than 30% of the portfolio since they are pools of mortgages specifically guaranteed by the full faith and credit of the U.S. Government.

Federal Home Loan Banks (FHLB) shall not exceed 25% of the portfolio. They carry an implicit not explicit guarantee of the U.S. Government and are owned specifically by community banks, thrifts, commercial banks, credit unions, community development financial institutions and insurance companies that are continually monitored by the Federal Housing Finance Agency (FHFA).

Federal Farm Credit shall not exceed 10% of the portfolio. This is a federally chartered network of cooperatives that led to the agricultural and rural America with Federal oversight by the Farm Credit administration, and is the oldest government-sponsored enterprise.

Federal National Mortgage Association (Fannie Mae) and Federal Home Loan Mortgage Corporation (Freddie Mac) shall not exceed 5% of the portfolio. These carry an implicit not explicit, guarantee of the U.S. Government. They are pools of mortgage bought and sold by a stockholder-owned corporations operating under congressional charter to increase availability and affordability of homeownership for low, moderate and middle income Americans.

Risk and Diversification: The City shall strive to diversify and spread the risk among the list of authorized investments avoiding over concentration of assets in a specific maturity, issuer, and instruments as provided under portfolio limitations.

Maturity and Liquidity Standard: The investment portfolio will be structured to provide sufficient liquidity to pay obligations as they come due. The portfolio will consist of:

- a.) Cash Management account, which will be available to pay current expenses and payroll obligations of the City.
- b.) Short Term investment, which will maintain a laddered maturity of 1 year or less. Likely increments would be 3, 6, 9 and 12 months.
- c.) Long Term Investments, extend more than one year. The average length of time for a maturity should not exceed 5 to 7 year window and must be liquid in the event cash needs.

The investment advisor will be utilized to assist in determining the length to hold various securities based on the current economic climate and any projections which may be available.

Every effort will be made to match investment maturities with known cash needs and anticipated cash flow requirements.

Authorized Investment Institutions and Dealers: The City is authorized to use the services of any institution or dealer providing the services which meet the immediate needs of the city as well as the most cost effective. Currently the City utilizes staff and our investment advisor to make the determination of which products to purchase.

Purchased securities will be from financial institutions, and limited to purchase as described above in Listing of Authorized Investments.

Bid Requirements: Each transaction shall be shopped for the best available yield to the City. Utilization of at least 3 different sources is preferable when possible. Bidding of products is not required unless the investment advisor feels the process will garner higher yields not provided through shopping with different brokers.

Third-Party Custodial Agreements: The City utilizes the services of a custodian to hold the assets designated as Long-Term. All securities are purchased and held by this institution as authorized by the City of Eustis. Certificate of Deposits are not required to be serviced by the custodian.

A third party custodian is defined as any bank depository chartered by the Federal Government, The State of Florida, or any other state or territory of the United States which has a branch or principal place of business in the State of Florida as defined in FS 658.12, or by a national association organized and existing under the laws of the United States which is authorized to accept and execute trusts and which is doing business in the State of Florida. Certificates of deposits and other negotiable instruments will be placed in the provider's safekeeping department for the term of the deposit.

Master Repurchase Agreement: Utilization of Master Repurchase Agreement shall require adherence to the City of Eustis Investment Policy and Procedure along with strict compliance with the agreement. All approved institutions and dealers (if any) transacting repurchase agreements will be required to execute and perform as stated in the Master Repurchase Agreement.

Internal Controls: All Short-Term and Long-Term investments will be authorized and signed by the Finance Director and City Manager. Other authorized signers will include the Mayor and the Vice Mayor in the event the City Manager or Finance Director is not available. Each investment authorized will be in the form as included in Exhibit A-1 attached. Each investment authorized will require the completion and return to the City the Investment Acknowledgement as included in Exhibit A-2.

The investment policy shall provide for review of such controls by independent auditors as part of any financial audit periodically required of the City. Such internal controls shall include, but not limited to requiring a signed investment authorization including two signatures by authorized personnel, a completed investment acknowledgement and a memorandum summarizing the recommendation. Whenever possible, the recommending memorandum should include the recommendation of the investment consultant.

Continuing Education: The Finance Director is required to complete 8 hours of continuing professional education in subjects or courses of study related to investment practices and products. This requirement shall be renewed annually.

Sale of Securities: The Finance Director is authorized to sell securities at such time it is deemed necessary to meet current obligations. Additionally, if improved financial position can be gained from the sale of a security the city is authorized to sell such security prior to the maturity of the issue.

Reporting of Transactions and Quarterly Reports: Upon completion of any investment transaction, the City Commission will be advised of each transaction by forwarding to them a copy of the recommendation memorandum, Investment Authorization and the Investment Acknowledgement.

A quarterly report will be provided to the City Commission during the month following the quarters ending in the months of March, June, September and December. Additional reports may be provided at the request of the City Commission as well as the summary disclosed in the memorandum of transactions.

The report will include a listing of individual investments held; the maturity date of each investment, the interest rate, percentage of each investment in the portfolio compared to the entire portfolio and will include the cost of the investment and the current market value.

Signed this 5th day of August, 2010 upon approval of Resolution 10-43 by the Eustis City Commission.

Karen LeHeup-Smith
Mayor/ Commissioner

Paul A. Berg
City Manager

Jim R. Myers, Jr. CMC, CGFM
Finance Director

Exhibit A-1
City of Eustis
Investment Authorization

Authorization # _____

Depository Name: _____

Account Name: _____

City Investment Policy:

The City of Eustis may from time to time invest surplus public funds in order to maximize interest earnings within a minimum amount of investment risk and a high degree of investment safety in accordance with the procedures and investments authorized in Florida Statutes Chapter 166.261 and Chapter 218.415(16).

Procedure:

The City of Eustis may from time to time invest those surplus public funds in any of the authorized instruments as is provided for in F.S. 166.261 and F.S. 218.415(16), as may be amended from time to time.

Nothing herein contained shall be interpreted or construed to abrogate any specific provisions contained in any bond ordinance or resolution of the city relating to the investment of bond proceeds temporarily available in specific funds or account, or the use of other procedures as directed by the City Commission in accordance with law.

Any purchase, sale, investment or reinvestment made under this policy shall require the approval of the City Manager and the Finance Director. Authorized city officials eligible to sign the authorization include the Mayor or Vice-Mayor and the City Manager, and the Finance Director or their designee in their absence.

Investment Objective:

To provide for the investment of surplus City of Eustis funds which are in excess of the cash-flow needs of the immediate fiscal year. To invest in those instruments as are authorized by F.S. 166.261 and F.S. 218.415(16), as may be authorized in accordance with the above procedure from time to time. To invest with the highest degree of safety, and to provide for a high rate of interest return based on that degree of safety. To provide for a one to five year laddered or structured maturity.

Authorized Investments:

Other Instructions:

Upon completion of any transaction purchasing or selling of any investment security outside of the cash management program a memorandum describing the transaction along with various options will be presented to the commission at the next available meeting. A listing of investments shall be provided to include a description of security, maturity dates, amount invested and interest rates.

Authorized this ___ day of _____, 20__.

Jim R. Myers, Jr., CMC, CGFM, Finance Director

Paul A. Berg, City Manager

Exhibit A-2

**City of Eustis
Investment Acknowledgement**

Investments authorized under the City policy are to include the following or as may be amended by changes to Florida Statutes 218.415(16).

- (a) The Local Government Surplus Funds Trust, or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act, as provided in s.163.01.
- (b) Security and Exchange Commission registered money market funds with the highest credit quality rating from a nationally recognized rating agency.
- (c) Interest bearing time deposits or savings accounts in qualified public depositories, as defined in s. 280.02.
- (d) Certificates of Deposit in state-certified public depositories, as defined in FS. 280.02.
- (e) Direct obligations of the U.S. Treasury.
- (f) Federal agencies and instrumentalities.
- (g) Certificate of Deposit Account Registry Service (CDARS)

Nothing herein contained shall be interpreted or construed to abrogate any specific provision contained in any bond ordinance or resolution of the city relating to the investment of bond proceeds temporarily available in specific funds or accounts, or the use of other procedures as directed by the City Commission in accordance with law.

Any purchase, sale, investment or reinvestment made under this policy shall require the approval of the City Manager and the Finance Director. The Mayor and Vice Mayor may also be authorized signers in the event that the City Manager or Finance Director are not available.

Certification:

This is to certify that the investments authorized under Authorization 20__-__ meets the investment requirements as listed above in item _____. That _____, is a state-certified public depository and that at such time it ceases to be will notify the City of Eustis immediately. Be it further certified that the authorization transaction was completed on the _____ day of _____, 20__.

Date: _____

Signature: _____
Investment Officer



City of Eustis

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

TO: EUSTIS CITY COMMISSION
 FROM: TOM CARRINO, CITY MANAGER
 DATE: SEPTEMBER 21, 2023
 RE: CITY MANAGER'S PERFORMANCE EVALUATION

Introduction:

Annually, the City Commission is required to review the performance of the City Manager. City Commissioners have met individually with the City Manager to provide input on his performance over the past year and additional comments are expected to be made at the City Commission meeting on September 21, 2023

In accordance with the City Manager's contract, the salary of the City Manager may be increased from time to time by majority vote of the City Commission. This discussion is usually conducted during the City Manager's performance evaluation. For your information, effective October 1, 2022 all City employees that met or exceeded performance standards were approved for a four percent wage increase, plus a two percent longevity increase, if they had at least four years of employment with the City of Eustis. The City Manager did not receive that increase. Effective October 1, 2023 the City Commission has tentatively approved a five percent increase for all City employees, plus an annual increase of \$1,000. This wage increase is not automatically given to the City Manager.

On November 18, 2021 the City Commission last voted to increase Mr. Carrino's salary to \$160,000. If the City Commission were to provide the City Manager with the same increases given to other employees in October 2022 and October 2023, his salary would increase to \$179,080.

Effective October 1, 2023, the salaries for area City Managers are listed below:

Clermont- \$187,200
 Leesburg- \$230,493
 Mount Dora- \$196,350
 Tavares- \$213,740

Recommendation:

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

Budget/Staff Impact:

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

Community Input:

Community input has not been requested; however, the community has the opportunity to provide input during the Commission Meeting.

Prepared by:

Bill Howe, Human Resources Director