



Town Council Workshop Meeting

December 30, 2021 at 10:00 AM

In Person and via Zoom

MINUTES

Mayor MacFarlane called the Town Council Workshop Meeting to order at 10:00 a.m.
Mayor MacFarlane led the attendees in the Pledge of Allegiance to the Flag.

ROLL CALL

Acknowledgement of Quorum

MEMBERS PRESENT:

Councilor George Lehning | Councilor Marie V Gallelli (Virtually via ZOOM) | Councilor Rick Klein | Mayor Pro-Tem Ed Conroy (Virtually via ZOOM) | Mayor Martha MacFarlane

STAFF PRESENT:

Sean O'Keefe, Town Administrator | John Brock, Town Clerk | Morgan Cates, Public Works Director | Thomas Wilkes, Town Attorney (Zoom) | Tom Harowski, Town Planner (Zoom)

NEW BUSINESS

1. Discussion: Upcoming CDD/Developer Wastewater Meeting

Mayor MacFarlane asked Town Administrator, Sean O'Keefe, to introduce this topic. Mr. O'Keefe presented this discussion item and explained the current situation with the Central Lake Community Development District (CDD) providing wastewater utility services to parts of the Town. Mr. O'Keefe explained that the CDD had requested that the Town host a meeting on January 6, 2022 with all potential future developers in Howey-in-the-Hills Interlocal Service Boundary Agreement (ISBA) area who had not already secured wastewater rights with the CDD. The CDD would like to use this meeting to get assurances of funding from the developers to expand their wastewater plant. Some of the developers that had been invited to the January 6th meeting included Whispering Hills, Simpson Development, Lake Hills (or Four Seasons Development), Drake Point, Thompson Grove, Westminster / Marina Property, Silver Springs Citrus Plant, and the developer of the Daryl Carter parcels (due west of Mission Inn).

A second aspect of the discussion was that the Town was approached by the CDD with an amended and restated agreement between the Town and the CDD. Mr. O'Keefe explained that there are four major differences that the CDD had proposed in the amendment to the agreement. Those difference were: 1) Several additional parcels of land had been asked to be excluded from the Town's ISBA service area and be given to the CDD as the sole water and wastewater customers of the CDD. 2) A 56% rate

increase in the cost for Town wastewater customers was proposed. 3) A clear and free access between the marina property and Mission Inn property to run pipes or other items between those areas with no cost, service charges, or fees to do so was requested. 4) A clause that the CDD be given full exclusivity as the Town's only provider of wastewater services was requested.

Mayor MacFarlane explained that the Town's Interlocal Service Boundary Agreement (ISBA) is with Lake County and other municipalities within Lake County. This ISBA agreement shows where the Town can annex future parcels of land and where the Town can provide utilities, specifically water and wastewater.

Town Administrator O'Keefe was looking for a consensus from the Town Council as to how to proceed with negotiations with the CDD and if the Town Council would like the Town staff to investigate alternative avenues for providing wastewater utility services to new developments within the Town's ISBA area.

Town Attorney, Tom Wilkes, was asked to explain what a CDD is and how utility rate changes were authorized. Mr. Wilkes explained how Community Development Districts are created and how they were authorized to operate utilities. Mr. Wilkes also explained that the Central Lake CDD was able to raise rates on Town residents through three different ways. Those ways are: 1) They can raise their rates once a year by a national index 2) They can have an engineer complete a rate study which would warrant an increase based on cost 3) They could get the Town to voluntarily agree to the increase through an amended agreement. Mr. Wilkes made three recommendations for the Town, namely: the Town should object to the Central Lake CDD trying to increase its boundaries; the Town should hold the CDD to its agreement with regards to rate increases; and the Town should object to and not allow the CDD to be given exclusivity as the wastewater utility supplier for the Town.

Mayor Pro-Tem Conroy recommended that the Town hire a professional negotiator to lead the negotiations with the CDD.

Public Works Director, Morgan Cates, suggested that there were other options for wastewater services. The Town could allow package plants for developments, which would be controlled by the Town.

Mayor MacFarlane stated that the Town negotiates with each individual developer based on the guiding principles of the Town's Comprehensive Plan.

Mayor Pro-Tem Conroy suggested that Mr. O'Keefe go into the January 6th meeting and find out what CDD and Developers want and then come back to Town Council and ask for approval if necessary.

Town Administrator, Sean O'Keefe, stated that it appeared that the will of the Town Council was that the Town Council does not want to let the CDD have *de facto* exclusivity of wastewater utility service for the next 25 years or so. Councilor Klein agreed with Mr. O'Keefe and other Town Councilors nodded their heads in agreement.

Mr. O'Keefe summarized that it seemed like the Town Council wanted the Town staff to move forward with pursuit of all possible options, up to and including retaining experts like Woodard and Curran to assist with securing funding and engineering plans to create the Town's own wastewater plants and to look at implementing impact fees for wastewater services as a source of future funding.

PUBLIC COMMENTS

Any person wishing to address the Mayor and Town Council and who is not on the agenda is asked to speak their name and address. Three (3) minutes is allocated per speaker.

Sal Gallelli, 1104 N Tangerine Ave - Mr. Gallelli spoke about a time in the past when he called into a radio show and asked the former Mayor of Leesburg if Leesburg could supply sewer services to the Town of Howey-in-the-

Hills. The former Mayor of Leesburg stated at that time that the Town of Howey-in-the-Hills had not approached Leesburg. Mr. Gallelli stated that the Town should maybe speak Leesburg about suppling sewer services.

Berniece Hower, 444 Bellissimo Place – Mrs. Hower stated that there are a lot of factors that the Town would need to consider and that possibly the Town should postpone the January 6th meeting.


ADJOURNMENT

There being no further business to discuss, a motion was made by Mayor MacFarlane to adjourn the meeting; Councilor Lehning seconded the motion. Motion was approved unanimously by voice vote.

The Meeting adjourned at 11:43 a.m. | **Attendees: 13**



ATTEST:


John Brock, Town Clerk


Mayor Martha MacFarlane