



UMATILLA CITY COUNCIL MEETING

April 04, 2023 at 6:00 PM

Council Chambers, 1 S. Central Avenue, Umatilla, Florida 32784

AGENDA

Please silence your electronic devices

PLEDGE OF ALLEGIANCE AND INVOCATION

CALL TO ORDER

ROLL CALL

AGENDA REVIEW

MINUTES REVIEW

1. March 21, 2023 Regular City Council Minutes

PRESENTATIONS

PUBLIC COMMENT

At this point in the meeting, the Umatilla City Council will hear questions, comments and concerns from the public.

Please write your name and address on the paper provided at the podium. Zoning or code enforcement matters which may be coming before the Council at a later date should not be discussed until such time as they come before the Council in a public hearing. Comments, questions, and concerns from the public regarding items listed on this agenda shall be received at the time the Council addresses such items during this meeting. Public comments are generally limited to three minutes.

CONSENT AGENDA

2. Resolution No. 2023-04, City of Umatilla Wastewater Asset Management and Fiscal Sustainability Plan
3. Appointment to Police Retirement Board
4. Resolution No. 2023-06, Florida Department of Environmental Protection and St. John's River Water Management District Application Fees
5. Declaration of Surplus Goods

PUBLIC HEARING / ORDINANCES / RESOLUTIONS

6. Final Reading of Ordinance No. 2023-07, Establishing City of Umatilla Design Review Board
7. Resolution No. 2023-07, Designating City Council as the Design Review Board

8. Final Reading of Ordinance No. 2023-08, Prohibiting smoking and vaping in public parks within the City of Umatilla

NEW BUSINESS

REPORTS

ADJOURNMENT

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352)669-3125. F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes, he 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.

Any invocation that may be offered before the official start of the Council meeting is and shall be the voluntary offering of a private citizen to and for the benefit of the Council pursuant to Resolution 2014-43. The views and beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent their individual religious beliefs, nor are the views or beliefs expressed intended to suggest allegiance to or preference for any particular religion, denomination, faith, creed, or belief by the Council or the City. No person in attendance at this meeting is or shall be required to participate in any invocation and such decision whether or not to participate will have no impact on his or her right to actively participate in the public meeting.

The City of Umatilla is an equal opportunity provider and employer.



UMATILLA CITY COUNCIL MEETING

March 21, 2023 at 6:00 PM

Council Chambers, 1 S. Central Avenue, Umatilla, Florida 32784

MINUTES

PLEDGE OF ALLEGIANCE AND INVOCATION

CALL TO ORDER

Having been duly advertised as required by law Vice Mayor Creech led the pledge, gave the invocation, and called the Regular City Council Meeting to order at 6:00 P.M. in the Umatilla City Council Chambers.

ROLL CALL

MEMBERS PRESENT

Chris Creech, Vice-Mayor

Katherine Adams, Council Member

John Nichols, Council Member

Brian Butler, Council Member

ABSENT

Kent Adcock, Mayor

ALSO PRESENT

Scott Blankenship, City Manager

Kevin Stone, City Attorney

Jessica Burnham, City Clerk

Regina Frazier, Finance Director

Aaron Mercer, Development and Public Services Director

Adam Bolton, Chief of Police

Amy Stultz, Library Director

Sherie Lindh, Land Planner

Misti Lambert, Assistant to the City Manager

AGENDA REVIEW

MOTION BY COUNCIL MEMBER ADAMS TO APPROVE THE AGENDA; SECOND BY COUNCIL MEMBER NICHOLS; MOTION APPROVED BY UNANIMOUS VOICE VOTE.

MINUTES REVIEW

1. Approval of Meeting Minutes
 - March 7, 2023 Regular City Council Minutes

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE THE MINUTES; SECOND BY COUNCIL MEMBER BUTLER; MOTION APPROVED BY UNANIMOUS VOICE VOTE.

PRESENTATIONS

2. Presentation by Florida Rural Water Association - Asset Management Plan

Aaron Mercer, Development and Public Services Director, provided council with an overview of the presentation and mentioned this report assesses the current conditions of wastewater fixed capital assets and more importantly provides recommendations, procedures and tools to assist with optimal performance with the systems.

Counting, Mr. Mercer introduced George Glover, FRWA Utility Asset Manager, who spoke to the council about the Assets Management plan and went over the benefits of having the plan in place, the current asset conditions, Operations and Maintenance, and the Capital Improvement Plan.

3. Water Conservation Month Proclamation

Vice Mayor Creech read the proclamation into the record

PUBLIC COMMENT

Vice Mayor Creech opened public comment

No one spoke

Vice Mayor Creech closed public comment

CONSENT AGENDA

4. Approval of the Edward Byrne Memorial Justice Assistance Grant (JAG)

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE THE CONSENT AGENDA; SECOND BY COUNCIL MEMBER ADAMS; MOTION APPROVED BY UNANIMOUS VOICE VOTE.

PUBLIC HEARING / ORDINANCES / RESOLUTIONS

5. First Reading of Ordinance No. 2023-07, Establishing City of Umatilla Design Review Board

Attorney Stone read Ordinance No. 2023-07 by title only.

ORDINANCE NO. 2023-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA, CREATING SECTION 12 OF CHAPTER 3 OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF UMATILLA; CREATING A DESIGN REVIEW BOARD; PROVIDING THAT THE CITY COUNCIL MAY DESIGNATE ITSELF AS THE DESIGN REVIEW BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR RECORDATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Stone provided an overview of the agenda item and stated we can only enforce design standards if the city has a design review board.

Vice Mayor Creech opened public comment

No one spoke

Vice Mayor Creech closed public comment

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE THE FIRST READING OF ORDINANCE NO. 2023-07, ESTABLISHING CITY OF UMATILLA DESIGN REVIEW BOARD; SECONDED BY COUNCIL MEMBER BUTLER. MOTION PASSED BY ROLL CALL VOTE.

Council Member Nichols	YES
Council Member Butler	YES
Council Member Adams	YES
Vice Mayor Creech	YES

- 6. First Reading of Ordinance No. 2023-08, Prohibiting smoking and vaping in public parks within the City of Umatilla

Attorney Stone read the Ordinance No. 2023-08 by title only.

ORDINANCE NO. 2023-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, PROHIBITING SMOKING AND VAPING IN PUBLIC PARKS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION AND SCRIVENERS ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Mr. Blankenship provided the council with the history of the item and mentioned at the Feb 21st meeting the students with SWAT.

Vice Mayor Creech opened public comment

No one spoke

Vice Mayor Creech closed public comment

Discussion ensued on the signage and how the enforcement would take place.

MOTION BY COUNCIL MEMBER NICHOLS TO APPROVE THE FIRST READING OF ORDINANCE NO. 2023-08 PROHIBITING SMOKING AND VAPING IN PUBLIC PARKS WITHIN THE CITY OF UMATILLA; SECONDED BY COUNCIL MEMBER ADAMS. MOTION PASSED BY ROLL CALL VOTE.

Council Member Nichols	YES
Council Member Adams	YES
Council Member Butler	YES
Vice Mayor Creech	YES

NEW BUSINESS

REPORTS

7. Staff Reports

Mr. Blankenship spoke on the progress with the wastewater interconnect with the City of Eustis.

Attorney Stone spoke on the current ongoing legislative session and provided council with an update on a couple of the bills.

Council member Nichols reported about a medivac situation that took place at the airport and thanked everyone involved.

Council member Adams had no report

Council member Butler had no report

Vice Mayor expressed gratitude for the stormwater system the city has in place.

Chief Bolton spoke on recent qualifying that was taking place for some of the officers.

Ms. Frazier, talked about working on wrapping up the audit and getting ready for the new budget year.

ADJOURNMENT

With no further business for discussion, meeting adjourned at approximately 7:02 p.m.

Kent Adcock, MAYOR

Jessica Burnham
City Clerk

DRAFT



**CITY OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: March 30, 2023

MEETING DATE: April 4, 2023

SUBJECT: Resolution No. 2023-04, City of Umatilla Wastewater Asset Management and Fiscal Sustainability Plan

BACKGROUND SUMMARY:

At the March 21, 2023 City Council Meeting Council was presented with a presentation by Mr. George Glover, Florida Rural Water Association, which discussed the Wastewater Asset Management Plan this Resolution adopts that plan.

RECOMMENDATIONS:

City Council to approve Resolution No. 2023-04, City of Umatilla Wastewater Asset Management and Fiscal Sustainability Plan

FISCAL IMPACTS:

N/A

ATTACHMENTS:

1. Umatilla Wastewater Asset Management and Fiscal Sustainability Plan Executive Summary
 2. Resolution No. 2023-04, City of Umatilla Wastewater Asset Management and Fiscal Sustainability Plan
-

FLORIDA RURAL WATER ASSOCIATION

2970 WELLINGTON CIRCLE • TALLAHASSEE, FL 32309-7813
(850) 668-2746

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EMAIL
frwa@frwa.net

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www.frwa.net

February 27, 2023

Mr. Aaron Mercer
Director of Development and Public Services
P.O. Box 2286, 1 South Central
Umatilla, FL 32784

Mr. Mercer,

The Florida Rural Water Association is pleased to submit the following Wastewater System Asset Management and Fiscal Sustainability Plan (AMFSP) to the City of Umatilla. FRWA prepared this Plan for the City in partnership with the FDEP Clean Water State Revolving Fund (CWSRF) Program to identify your wastewater system's most urgent and critical needs.

This report assesses the current conditions of your wastewater fixed capital assets and more importantly provides recommendations, procedures, and tools to assist with long-range asset protection and wastewater utility reinvestment. FRWA will be available to support AMFSP recommendations and implementation. The following report is considered a living document with tools for your use and must be updated at least annually (recommended quarterly updates) by utility management. We provide electronic copies for your use and future modification. FRWA is available to assist in updating and revising the City's AMFSP.

Umatilla is a valued FRWA member and it is our goal to help make the most effective and efficient use of your limited resources. This tool is an unbiased, impartial, independent review and is solely intended for achievement of wastewater system fiscal sustainability and maintaining your valuable wastewater utility assets. Florida Rural Water Association has enjoyed serving you and wishes your wastewater system the best.

Sincerely,
George Glover

FRWA Utility Asset Management

Copy: Raymond Chase, FDEP Clean Water State Revolving Fund
Gary Williams, FRWA Executive Director

CITY OF UMATILLA

UMATILLA WASTE WATER ASSET MANAGEMENT AND FISCAL SUSTAINABILITY PLAN



Prepared for
City of Umatilla
Permit FLA010505

Prepared by:
FLORIDA RURAL WATER ASSOCIATION
Asset Management Program

In partnership with
Florida Department of Environmental Protection
&
Clean Water State Revolving Fund Program



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System Description **Error! Bookmark not defined.**

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EXECUTIVE SUMMARY

ASSET MANAGEMENT PLAN DEFINED

Asset Management Plan (AMP) - The International Infrastructure Management Manual defines an asset management plan as; "a plan developed for the management of one or more infrastructure assets that combines multi-disciplinary management techniques (including technical and financial) over the life cycle of the asset in the most cost effective manner to provide a specific level of service."

Lowest life cycle cost refers to the best appropriate cost for rehabilitating, repairing, or replacing an asset. Asset management is implemented through an asset management program and includes a written asset management plan.

BENEFITS OF AN AMP

Implementing and maintaining an active Asset Management Plan: Will provide numerous benefits to the Utility and its Customers:

- Prolonging asset life and aiding in rehabilitation/repair/replacement decisions through informed, efficient and focused operations and maintenance.
- Increased operational efficiencies
- Informed operational and management decisions
- Increased knowledge of asset criticality; thus improving the response to emergencies
- Meeting consumer demands with a focus on system sustainability and improved communication
- Setting rates based on sound operational and financial planning
- Budgeting by focusing on activities critical to sustained performance
- Meeting system service expectations and regulatory requirements
- Reducing overall costs for both operations and capital expenditures
- Improving security and safety of assets

Capital improvement projects that meet the true needs of the system and community

STATE REVOLVING FUND REQUIREMENTS

An active Asset Management Plan (AMP) is a requirement for participation in the State Revolving Fund Program (SRF). Asset Management and Fiscal Sustainability (AMFS) program details are identified in the Florida Administrative Code (FAC) 62-503.700(7).

AMP DEVELOPMENT STAKEHOLDERS

The development of this AMFS plan involved the collective efforts of Umatilla City Management and Staff, Florida Department of Environmental Protection State Revolving Fund (FDEP-SRF), and Florida Rural Water Association (FRWA). FRWA resources include: Engineers, Certified Operators and Rate Sufficiency Analysts.

PRIORITY ACTION LIST

Based on the State requirements for participation in the State Revolving Fund Program (SRF), a Preliminary Action Plan was developed to help Umatilla prioritize action items and establish target dates for timely completion.

CITY OF UMATILLA					
WASTEWATER SYSTEM PRIORITY ACTION LIST					
Priority	Action Items	Cost Estimate	Projected Start	Completed	Responsible Parties
High	Adopt WWAMFSP by Resolution	None	March 2023		City Council
High	Implement a CMMS tool such as Diamond Maps	\$45/Per Month	April 2023		Development and Public Services Director, City Council
High	Complete Rate Study/RevPlan	None	June 2023		FRWA, City Staff
High	Continue with LS #6 Replacement	\$925,000	FY 2023		Development and Public Services Director
High	Conduct an Energy Audit	Free By FRWA	FY 2023		Development and Public Services Director
Medium	Develop/Implement Wastewater Collection Operating & Maintenance Plan	TBD	FY2024		Public Works Director, Utilities Manager, Director of Development and Public Services
Medium	Repair three Poor Manholes at 250 N Orange St, W Skyline Dr. and W. Skyline Dr. Raise two Manholes on Bulldog Way	\$6,500	FY2024		Development and Public Services Director, Public Works Director
Medium	Replace Defective Rain Shields in Manholes on Grove St.	\$200	FY2023		Development and Public Services Director, Public Works Director
Medium	Smoke Test the Collection System to Identify any Leaks	Minimal/FRWA Can Help	FY2023		Development and Public Services Director
Medium	Clean out and Patch Coatings in Manholes at Wendell Ct, Outlook St., Bonaire Pl., Guerrant St., Kristen Ct., E Lake St., N. Oak Ave., Daphne Ave.	\$5,500	FY2024		Development and Public Services Director, Public Works Director
High	Continue Exploring Funding for Backup Pumping/Power for Lift Stations	TBD	On Going		Development and Public Services Director
High	Update Diamond Maps	None	Annually		Development and Public Services Director

FISCAL STRATEGY AND AMP PROCESS RECOMMENDATIONS

Based on this asset management and fiscal sustainability study, specific recommended action items related to Capital Expenditures (CAPEX) and Operating Expenditures (OPEX) and over the next five years are as follows:

1. Adopt this Asset Management and Fiscal Sustainability (AMFS) study in the form of a Resolution (see Appendix A for an example AMFS Resolution at the end of this document)
2. Continue to engage with a Florida Registered Engineer to support the Utility in review, funding, planning, design, permitting, and construction of critical CAPEX and OPEX as recommended in this AMFS study.
3. Make funding applications to the following programs/agencies in support of Utility System Upgrades/Improvements as recommended by this AMFS study (a synopsis of wastewater utility funding programs can be found here <http://www.frwa.net/funding.html> and <http://efcnetwork.org/wp-content/uploads/2017/05/FL-Water-Wastewater-Funds-2017.pdf>)
 - FDEP-State Revolving Fund (SRF)
 - Water Management District
 - Community Development Block Grant (CDBG)
 - Community Budget Issues Request
 - FDEO Rural Infrastructure Fund Grant (RIF)
4. Evaluate and Adopt a Utility rate structure that will ensure rate sufficiency as necessary to implement capital improvements.
5. Begin using Diamond Maps for Asset Management Planning (AMP), and Computerized Maintenance Management System (CMMS), or an equivalent software program.
6. Continue to build your asset management program by:
 - Collecting critical field data and assessments on any remaining assets
 - Improving on processes which provide cost savings and improved service
 - Implementing a checklist of routine maintenance measures
 - Benchmarking critical processes, annually
 - Develop policies that will support funding improvements
 - Develop manuals and guidelines for critical processes
 - Identify responsible persons or groups to implement critical assets and processes
 - Attend Asset Management training; annually.

RESOLUTION NO. 2023-04

A RESOLUTION OF THE CITY OF UMATILLA, FLORIDA, APPROVING THE CITY OF UMATILLA WASTEWATER ASSET MANAGEMENT AND FISCAL SUSTAINABILITY PLAN; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide for financial assistance to local government agencies to finance construction of the municipal utility system improvements; and

WHEREAS, the Florida Department of Environmental Protection State Revolving Fund (SRF) has designated the City of Umatilla’s Wastewater System Improvements, identified in the Asset Management and Fiscal Sustainability Plan, as potentially eligible for available funding; and

WHEREAS, as a condition of obtaining funding from the SRF, the City is required to implement an Asset Management and Fiscal Sustainability Plan for the City’s Wastewater System Improvements; and

WHEREAS, the City Council of the City of Umatilla has determined that approval of the attached Wastewater Asset Management and Fiscal Sustainability Plan for the proposed improvements, in order to obtain necessary funding in accordance with SRF guidelines, is in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE UMATILLA CITY COUNCIL the following:

Section 1. That the City Council hereby approves the City of Umatilla Wastewater Asset Management and Fiscal Sustainability Plan, attached hereto and incorporated by reference as a part of this Resolution.

Section 2. That the City Manager is authorized to take all actions necessary to effectuate the intent of this Resolution and to implement the Asset Management and Fiscal Sustainability Plan in accordance with applicable Florida law and Council direction in order to obtain funding from the SRF.

Section 3. That the City will annually evaluate existing rates to determine the need for any increase and will increase rates in accordance with the financial recommendations found in the Asset Management and Fiscal Sustainability Plan or in proportion to the City’s needs as determined by the Council in its discretion.

Section 4. That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED on this _____ day of _____, 2023. City of Umatilla, Florida

Kent Adcock, Mayor

Jessica Burnham, City Clerk

Kevin Stone, City Attorney



**CITY OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: March 28, 2023

MEETING DATE: April 4, 2023

SUBJECT: Resolution No. 2023-06, Florida Department of Environmental Protection and St. John's River Water Management District Application Fees

BACKGROUND SUMMARY:

Section 218.075 Florida Statutes, provides for a reduction or waiver of processing fees for municipalities with a population of 25,000 or less and a per capita taxable value less than the statewide average. The City of Umatilla qualifies for reduced permit fee through March 31, 2024, because the City's per capita taxable value is less than the statewide average for the current fiscal year and the percentage of assessed property value that is exempt from ad valorem taxation is higher than the statewide average for the current fiscal year

The City of Umatilla does qualify for reduced permit application fees not to exceed \$100 for public purpose projects submitted to the FDEP and SJRWMD through March 31, 2024.

RECOMMENDATIONS:

City Council approve Resolution No. 2023-06, Florida Department of Environmental Protection and St. John's River Water Management District Application Fees

FISCAL IMPACTS:

Minimum permit cost savings of \$1,090.

ATTACHMENTS:

1. Resolution No. 2023-06, Florida Department of Environmental Protection and St. John's River Water Management District Application Fees

RESOLUTION 2023-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UMATILLA, LAKE COUNTY, FLORIDA, REQUESTING REDUCTION OF PERMIT APPLICATION FEES BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 218.075, Florida Statutes, provides for a reduction or waiver of processing fees for municipalities with a population of 25,000 or less and a per capita taxable value less than the statewide average; and

WHEREAS, the City of Umatilla certifies that it is a municipality with a population of 25,000 persons or less; and

WHEREAS, the City of Umatilla certifies that it qualifies for permit processing fee reduction through March 31, 2024, because the City's per capita taxable value is less than the statewide average for the current fiscal year and, further, because the percentage of assessed property value that is exempt from ad valorem taxation is higher than the statewide average for the current fiscal year; and

WHEREAS, these factors are supported by a Memorandum dated April 1, 2022 prepared by the Florida Department of Revenue, Property Tax Oversight Research & Analysis attached herewith as Exhibit "A", incorporated herein by reference;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA:

Section 1. Recitals. The foregoing recitals are legislative findings of the Umatilla City Council, are true and correct, and are incorporated herein by reference.

Section 2. Certification. The City Council of the City of Umatilla does hereby certify that the City qualifies for reduced permit application fees not to exceed \$100 for public purpose projects submitted to the Florida Department of Environmental Protection (FDEP) or St. Johns River Water Management District (SJRWMD) through March 31, 2024. The Mayor is authorized to execute such forms of certification or resolution promulgated by FDEP or SJRWMD containing information consistent with this Resolution.

Section 3. Severability. It is the intent of the City Council of the City of Umatilla that if any section, sentence, clause, phrase or provision of this Resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Resolution.

Section 4. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 4th day of April, 2023 by the City Council of the City of Umatilla, Lake County, Florida, at a special Council meeting.

Kent Adcock, Mayor

City of Umatilla, Florida

ATTEST:

Approved as to Form:

Jessica Burnham

City Clerk

Kevin Stone

City Attorney



Florida Department of Revenue
Property Tax Oversight

Jim Zingale
 Executive Director

5050 West Tennessee Street, Tallahassee, FL 32399

floridarevenue.com

April 1, 2023

City of Umatilla
 Post Office Box 2286
 Umatilla, Florida 32784

CITY OF UMATILLA

The table below shows the requested information related to per capita taxable value and the percentage of assessed property that is exempt from ad valorem taxation.

	<u>City of Umatilla</u>	<u>Statewide</u>
Total Just Value	356,678,831	4,178,003,072,446
Total Assessed Value	291,374,059	3,157,765,975,435
Taxable Value	207,372,572	2,588,316,927,391
Exempt Amount	84,001,487	569,449,045,351
Population	3,875	33,362,512
Per Capita Taxable Value Average	53,516	77,581
Percentage of Assessed Value Exempt from Taxation	28.83%	18.03%
Millage	7.1089	
Sources: "Ad Valorem Data Book 2022" (DOR) and 2022 United States Census		

Please contact either Lizette Kelly at 850-617-8865 or Lizette.Kelly@floridarevenue.com or Allison Kever at 850-617-8925 or Allison.Kever@floridarevenue.com if you have any questions. Thank you.

Property Tax Oversight, Research & Analysis

BS



CITY OF UMATILLA
AGENDA ITEM STAFF REPORT

DATE: March 30, 2023

MEETING DATE: April 4, 2023

SUBJECT: Declaration of Surplus Goods

BACKGROUND SUMMARY:

When the city has items that no longer hold value or have exceeded their useful life, the City Council is asked to declare such items as surplus so they may be donated or sold to another agency for further use as the buyer or recipient sees fit.

- 1 - KFC screw press – functional, no longer needed due to new process
- 2 - Veoila Hydrotech media filters – functional, no longer needed due to new process
- 2 – Kaeser EB420C blowers – functional, no longer needed due to new process
- 1 – Cummings back-up generator – functional, replaced
- 1 – Unknown back-up generator – non-functional, obsolete
- 2 – Hac Sigma SD 900 auto samplers – one functional, one for parts
- 1 – Cummings 400-amp automatic transfer switch – functional, replaced
- 1 – John Deere 644BC front end loader – non- functional, obsolete

RECOMMENDATIONS:

City Council to declare the items as surplus and allow staff to dispose of the items properly.

FISCAL IMPACTS:

None

ATTACHMENTS:

N/A



CITY OF UMATILLA
AGENDA ITEM STAFF REPORT

DATE: March 22, 2023

MEETING DATE: April 4, 2023

SUBJECT: Final Reading of Ordinance No. 2023-07, Establishing City of Umatilla Design Review Board

BACKGROUND SUMMARY:

Article XIV, Section 3 of the Charter of the City of Umatilla vests in the City Council the authority to create boards and commissions which the City Council deems expedient to the operation of the affairs of the City of Umatilla. The creation of a Design Review Board to, among other things, assure that buildings and structures, along with associated signage, landscaping, lighting, or other development, contribute in a positive way to the public environment of the City.

RECOMMENDATIONS:

City Council to approve the Final Reading of Ordinance No. 2023-07, Establishing City of Umatilla Design Review Board.

FISCAL IMPACTS:

None.

ATTACHMENTS:

1. Ordinance No. 2023-07, Establishing City of Umatilla Design Review Board.
-

ORDINANCE 2023 -07

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA,
FLORIDA, CREATING SECTION 12 OF CHAPTER 3 OF THE LAND
DEVELOPMENT REGULATIONS OF THE CITY OF UMATILLA; CREATING A
DESIGN REVIEW BOARD; PROVIDING THAT THE CITY COUNCIL MAY
DESIGNATE ITSELF AS THE DESIGN REVIEW BOARD; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR RECORDATION;
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Article XIV, Section 3 of the Charter of the City of Umatilla vests in the City Council the authority to create boards and commissions which the City Council deems expedient to the operation of the affairs of the City of Umatilla; and

WHEREAS, the City Council of the City of Umatilla desires to create a Design Review Board to, among other things, assure that buildings and structures, along with associated signage, landscaping, lighting, or other development, contribute in a positive way to the public environment of the City; and

WHEREAS, the City Council of the City of Umatilla believes it is in the best interests of the City to allow the option to have the City Council act as the Design Review Board where the City Council, in its discretion, views that such would be beneficial.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Umatilla, Florida, as follows:

Section 1. Section 12 of Chapter 3 of the Land Development Regulations of the City of Umatilla is hereby created to read:

SECTION 12: Design Review Board.

a) Created; composition; terms; removal of members.

(1) *Created.* There is hereby created a city design review board.

(2) *Composition.* The board shall be composed of five members and one alternate who shall serve without compensation. To the extent that qualified volunteers are available:

(A) At least two of the members shall be architects, licensed or registered to practice in the State of Florida, and at least one member shall be a landscape architect, licensed or registered to practice landscape architecture in the State of Florida. The other two members and the alternate shall be persons who, as a result

of training, experience, attainments or interest, are qualified to analyze and interpret design, landscaping, lighting, signage or environmental information; to appraise resource uses in light of the policies set forth in this division; and to be responsive to the social, aesthetic, recreational and cultural needs of the community. Persons having expertise or interest in related matters, such as conservation, recreation, design, urban planning, cultural-historical preservation and ecological and environmental sciences, shall, insofar as practicable, be considered for appointment to the board.

(B) Alternatively, the Council may, from time to time, pass a resolution designating itself as and undertaking the functions of the Design Review Board. A resolution hereunder may state an effective period or state that it shall be effective indefinitely until further resolution of the City Council.

(3) *Terms.* The term of office for each member shall commence upon the effective date of appointment and shall expire on May 31 closest to three years from commencement of the term. Members shall be limited to two consecutive three-year terms. After serving two consecutive terms, a member may reapply for appointment to the board after one year following expiration of the member's last term. In the event the City Council designates itself as the Design Review Board, the term of each such board seat shall be concurrent with the term of the City Council seat.

(4) *Removal of members.* Any member may be removed by the city council for failure to maintain the qualifications set forth in subsection (b) of this section, or article II, section 5(a) of the state Constitution (dual office holding). A member who is removed shall not be reappointed to membership on the Design Review Board for at least one year from the date of removal.

b) Purpose.

The purpose of the Design Review Board is to promote the public health, safety and general welfare by considering appeals from final administrative decisions from the City Building Department. Factors to be considered in hearing such appeals include, but are not limited to, the following:

- (1) Preserving existing areas of natural beauty and cultural importance;
- (2) Assuring that buildings and structures, along with associated signage, landscaping, lighting or other development, contribute in a positive way to the public environment of the city;

(3) Preventing the development of structures or uses which are not of acceptable exterior design or appearance or are of inferior quality or likely to have a depreciating effect on the public environment, or surrounding area, by reason of appearance or value;

(4) Consistent with other provisions of this Code, eliminating conditions, structures, along with associated design, landscaping, lighting, and signage, which by reason of their effect tend to degrade the appearance, health, safety or general welfare of the community; and

(5) Providing a continuing source of programs and means of improving the city's public environment.

c) Organization; quorum; rules of procedure.

(1) The Design Review Board shall meet as needed. The chair may call special meetings and may cancel or continue meetings as may be necessary. The Design Review Board shall hold a meeting within thirty (30) days from the date of receipt by the City Manager of a request for a public hearing before the Design Review Board meeting all of the requirements set forth herein.

(2) A majority of the membership of the board shall constitute a quorum for the transaction of business. The alternate member may attend meetings and take part in discussion on items before the Design Review Board but shall make or second motions and vote on business items only if one or more members of the Design Review Board are absent.

(3) The Design Review Board shall elect a chair and a vice-chair from among its members. Terms of the chair and vice-chair shall be for one year, commencing in the first regular meeting after May 31 of each year. The chair and vice-chair are eligible for reelection. The vice-chair shall have the same powers of the chair, in the absence of the chair. The city will provide for a recording secretary through the city clerk or city manager.

(4) Subject to the City Council's approval by resolution, the Design Review Board shall adopt rules and regulations as may be deemed necessary for the proper function of the board in regard to:

(A) Meeting dates, time, and location;

(B) Publication of agendas of board meetings; and

(C) Procedures for filing, advertising and notification of meetings;
and

(5) The city council may, at its discretion, appropriate funds to the board for expenses necessary in the conduct of its work.

(6) In the event that the City Council designates itself as the Design Review Board, all matters which would otherwise be heard or considered by the Design Review Board will be addressed at regular or special City Council meetings. When performing such functions at properly noticed City Council meetings, it shall not be necessary for the City Council to separately give notice of Design Review Board meetings, for separate minutes to be taken, or for a meeting of the City Council to be adjourned and a meeting of the Design Review Board be called to order.

d) Appeals from decisions of the Design Review Board.

(1) Any petitioner or owner of property who appeared before the Design Review Board, is presumed to have standing to appeal a final decision of the Design Review Board to the City Council.

(2) An appeal to the City Council may be perfected by filing a notice of appeal, in a form prescribed by the city clerk, within 15 days after the decision of the Design Review Board was signed by the chair or vice-chair and filed with the city clerk. The notice of appeal shall set forth the specific errors committed by the board, with reference to the portion of the record where the error was committed. To perfect the appeal, within the prescribed 15 days the appellant(s) shall: (1) complete and file the notice of appeal; and (2) pay a fee established by the city council for each decision that is appealed. If the notice of appeal is not timely filed, the filed notice of appeal is incomplete or the fee is not timely paid, the city staff shall reject the appeal and notify the appellant(s) that the appeal as filed is deficient. The appellant(s) shall have seven days from the date notice is sent by the city staff to correct the deficiency. If the deficiency is not cured within that seven-day period, the action of the Design Review Board shall thereafter constitute final agency action by the Design Review Board. If all deficiencies are cured within that seven-day period, the appeal shall be deemed to have been filed on the date all deficiencies are cured.

(3) The City Council shall hear the appeal at an available regularly scheduled meeting, or at a special meeting within 45 days after the date of filing the notice of appeal. Failure of the City Council to adhere strictly to this schedule shall not constitute grounds for challenge of the City Council's action.

(4) The City Council shall render a decision immediately following the hearing of the appeal, unless the matter is continued consistent with established City Council procedures. The City Council's review shall be limited to a review of the record before the board and argument before City Council regarding error by the appellant(s) and the property owner or petitioner before the Design Review Board to determine:

(A) Was the appellant(s) afforded procedural due process before the DRB?

(B) Did the DRB decision follow the essential requirements of law?

(C) Was there competent, substantial evidence presented to the DRB in support of its decision?

(5) The City Council may affirm, deny, or remand the Design Review Board's decision with directions. The disposition of any appeal by the City Council shall be by resolution and shall constitute final agency action.

Section 2. Severability. If any section, sentence, clause, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this Ordinance.

Section 3. Repeal. All ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 4. Effective Date. This Ordinance shall become effective immediately upon passage by the City Council of the City of Umatilla.

PASSED AND ORDAINED in regular session of the City Council of the City of Umatilla, Lake County, Florida, this _____ day of _____, 2023.

Kent Adcock, Mayor

ATTEST:

Jessica Burnham
City Clerk

Approved as to form:

Kevin Stone
City Attorney

Passed First Reading: _____

Passed Second Reading : _____



**CITY OF UMATILLA
AGENDA ITEM STAFF REPORT**

DATE: March 30, 2023

MEETING DATE: April 4, 2023

SUBJECT: Resolution No. 2023-07, Designating City Council as the Design Review Board

BACKGROUND SUMMARY:

Ordinance No. 2023-07 created a Design Review Board to assure that buildings, structures, along with associated signage, landscaping, lighting, or other development, contribute in a positive way to the public environment of the City. The Ordinance provided an option for the City Council to act as the Design Review Board within the City Council’s discretion

RECOMMENDATIONS:

City Council approve Resolution No. 2023-07, Designating City Council as the Design Review Board

FISCAL IMPACTS:

None

ATTACHMENTS:

1. Resolution No. 2023-07, Designating City Council as the Design Review Board
-

RESOLUTION 2023-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UMATILLA, LAKE COUNTY, FLORIDA, DESIGNATING ITSELF AS THE DESIGN REVIEW BOARD PURSUANT TO CITY ORDINANCE 2023-07; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Umatilla passed Ordinance 2023-07 (the “Ordinance”), which created a Design Review Board to, among other things, assure that buildings, structures, along with associated signage, landscaping, lighting, or other development, contribute in a positive way to the public environment of the City; and

WHEREAS, the Ordinance provided an option for the City Council to act as the Design Review Board within the City Council’s discretion; and

WHEREAS, the City Council of the City of Umatilla hereby finds and determines that it is in the best interests of the City for it to serve as the Design Review Board; and

WHEREAS, the City Council hereby passes this Resolution 2023-07 accordingly.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF UMATILLA, FLORIDA:

SECTION 1. The foregoing recitals are incorporated herein by referenced and made a part hereof.

SECTION 2. The City Council of the City of Umatilla hereby designates itself as the Design Review Board in accordance with Ordinance 2023-07.

SECTION 3. All meetings of the Design Review Board, for so long as this resolution is in effect, shall be duly advertised and noticed to the public as meetings of the City Council in accordance with F.S. 286.011 and shall be conducted on an as needed basis pursuant to the terms of Ordinance 2023-07.

SECTION 4. It is the intent of the City Council of the City of Umatilla that if any section, sentence, clause, phrase or provision of this Resolution is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Resolution.

SECTION 5. This Resolution shall become effective upon its passage and shall remain in effect until further resolution of the City Council of the City of Umatilla.

PASSED AND RESOLVED this ___ day of _____, 2023, by the City Council of the City of Umatilla, Florida.

Kent Adcock, Mayor

ATTEST:

Jessica Burnham, City Clerk

Approved as to form:

Kevin Stone, City Attorney



CITY OF UMATILLA
AGENDA ITEM STAFF REPORT

DATE: March 22, 2023

MEETING DATE: April 4, 2023

SUBJECT: Final Reading of Ordinance No. 2023-08, Prohibiting smoking and vaping in public parks within the City of Umatilla

BACKGROUND SUMMARY:

At the February 21, 2023 Regular City Council meeting students with Students Working Against Tobacco (SWAT) presented City Council with a presentation on the reasons why it would be beneficial for the city to prohibit smoking and vaping in public parks within the City of Umatilla and asked Council to consider passing an ordinance doing so.

RECOMMENDATIONS:

City Council to approve the Final Reading of Ordinance No. 2023-08, Prohibiting smoking and vaping in public parks within the City of Umatilla

FISCAL IMPACTS:

Negligible cost of signage.

ATTACHMENTS:

1. Ordinance No. 2023-08, Prohibiting smoking and vaping in public parks within the City of Umatilla
-

ORDINANCE 2023-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UMATILLA, PROHIBITING SMOKING AND VAPING IN PUBLIC PARKS; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION AND SCRIVENERS ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article VII, Section 2 and Chapter 166, Florida Statutes, confer upon a municipality the authority to adopt regulations designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, pursuant to its home rule powers, the City of Umatilla may adopt necessary regulations for public lands and facilities; and

WHEREAS, from time to time the City of Umatilla provides updates to its Code of Ordinances in the best interest of the citizens and visitors to the City of Umatilla; and

WHEREAS, Tobacco use causes death and disease and continues to be an urgent public health threat; and

WHEREAS, cigarette butts, smokeless tobacco, and vapor-generating electronic devices pose a health threat of poisoning to young children.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Umatilla, Florida, as follows:

Section 1: LEGISLATIVE FINDINGS AND INTENT.

The City of Umatilla has complied with all requirements and procedures of the Florida law necessary for the adoption of this Ordinance. The above recitals are hereby declared to be findings of the City Council and are incorporated herein by reference.

Section 2: DEFINITIONS.

The following words and phrases, whenever used in this article shall have the meanings defined in this section unless the context clearly requires otherwise:

- (a) “Park” means all city-owned public parks including, but not limited to, Cadwell Park, Larkin Park, Guerrant Park, Gateway Park, Olson Park, Hall Memorial Park, the park surrounding the city library, the community pier, and the grounds surrounding the municipal swimming pool.

- (b) “Vapor-generating Electronic Device” means an electronic device that may be used to deliver any aerosolized or vaporized substance to the person in haling from the device, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah.
- (c) “Smoking” means inhaling, exhaling, burning, carrying, or possessing any lighted or heated tobacco product, including cigarettes, filtered cigars, pipe tobacco, and any other lighted or heated tobacco product whether natural or synthetic.
- (d) “Tobacco Product” means:
- (1) any product, containing, made, or derived from tobacco, nicotine or nicotine analogues that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus;
 - (2) any vapor-generating electronic device as defined in this Section and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or
 - (3) any component, part, accessory, of (1) or (2), whether or not any of these contains tobacco or nicotine, including but not limited to filters, rolling papers, blunt or hemp wraps, hookahs, and pipes.

Notwithstanding anything to the contrary, “Tobacco Product” does not mean unfiltered cigars or drugs approved for medical use by the U.S. Food and Drug Administration.

- (e) “Vape” or “Vaping” means to inhale or exhale vapor produced by a vapor-generating electronic device or to possess a vapor- generating electronic device while that device is actively employing an electronic, a chemical, or a mechanical means designed to produce vapor or aerosol from a nicotine product or any other substance, the term does not include the mere possession of a vapor-generating electronic device.

Section 3: PROHIBITION OF SMOKING AND VAPING IN RECREATIONAL AREAS.

Smoking, Vaping, and the use of all other Tobacco Products is prohibited in all Parks within The City of Umatilla. Unfiltered cigars are not regulated by this Section.

Section 4: OTHER REQUIREMENTS AND PROHIBITIONS.

The City manager or their designee may, in their discretion, post "No Smoking or Vaping" signs at Parks. For purposes of this section, the City Manager or their designee shall be responsible for the posting of signs. Notwithstanding this provision, the presence or absence of signs shall not be a defense to a charge of smoking or vaping in violation of any other provision of this ordinance.

Section 5: COMPLIANCE AND ENFORCEMENT

Individuals acting in violation of this policy will be in violation of the City Code and subject to penalties as provided in the Code of Ordinances for violations hereof. In addition, individuals who violate this policy may be required to leave the Park.

Section 6: SEVERABILITY.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 7: SCRIVENER'S ERRORS.

Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

Section 8: EFFECTIVE DATE.

This Ordinance shall become effective immediately upon passage by the City Council of the City of Umatilla.

PASSED AND ORDAINED in regular session of the City Council of the City of Umatilla, Lake County, Florida, this _____ day of _____, 2023.

Kent Adcock, Mayor
City of Umatilla, Florida

ATTEST:

Approved as to Form:

Jessica Burnham
City Clerk

Kevin Stone
City Attorney

Passed First Reading _____

Passed Second Reading _____
(SEAL)