AGENDA
Regular City Commission Meeting
6:00 PM - Thursday, November 18, 2021 - City Hall

INVOCATION

PLEDGE OF ALLEGIANCE: COMMISSIONER LEHEUP-SMITH

CALL TO ORDER

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

   2.1 October 14, 2021 - City Commission Workshop
   October 21, 2021 - Regular City Commission Meeting
   Staff Report #21-0317 - Html
   10-14-2021 CC Workshop MIN - For Approval
   10-21-2021 CC MIN - For Approval

3. PRESENTATIONS

   3.1 Presentation by the East Central Florida Regional Planning Council on the Orange Blossom Trail/US 441 Brownfields Coalition
   Staff Report #21-0316 - Html

4. AUDIENCE TO BE HEARD

5. CONSENT AGENDA

   5.1 Resolution Number 21-93: Approving Multiple Annual Purchases in Excess of $50,000 for Water Meters, Meter Heads, and Rebuild Kits
   Staff Report #21-0308 - Html
   Resolution No. 21-93

   5.2 Resolution Number 21-94: Approval of Purchases in Excess of $50,000 for Four Public Works Heavy Equipment Machinery
   Staff Report #21-0310 - Html
   Resolution Number 21-94

   5.3 Resolution Number 21-95: Budget amendment amending the Police Forfeiture Fund to account for expenditure for Senior Management training
   Staff Report #21-0321 - Html
   Staff Report - Resolution Number 21-95
   Resolution Number 21-95 re forfeiture amendment

   5.4 Resolution Number 21-96: Axon Enterprise Inc. contract renewal
   Staff Report #21-0322 - Html
   Staff Report - Resolution Number 21-96
   Resolution Number 21-96 for Axon equipment

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 Resolution Number 21-89: Preliminary Subdivision Plat Modification with Waiver - Royal Brothers (Grafton Ridge) Phase II (Emergency Access)

Staff Report #21-0312 - Html
Staff Report Resolution 21-89
Resolution 21-89

6.2 Resolution Number 21-90: Site Plan Modification with Waivers - Lulu's Candles

Staff Report #21-0313 - Html
Staff Report Resolution 21-90
Resolution 21-90

6.3 Resolution Number 21-91: Modification to Approved Development Plan by Site Plan with Waivers - Storage Depot

Staff Report #21-0311 - Html
Staff Report Resolution Number 21-91
Resolution Number 21-91

6.4 Resolution Number 21-97: Approving an Orange Blossom Trail/US 441 Brownfields Coalition Memorandum of Understanding

Staff Report #21-0315 - Html
Staff Report - Res 21-97 Brownfields Coalition MOU ADA
Resolution 21-97 ECFRPC MOU ADA
FY21 Coalition Agreement Final

7. OTHER BUSINESS

7.1 Extension of Adoption Period for Ordinances 20-33, 20-36, 20-39 Comprehensive Plan Future Land Use Map Amendments for Annexation Properties in Thrill Hill Area

Staff Report #21-0314 - Html
11-007-FF11.Noncompliance.20210223
Spicola 5-25-21 Eustis Florida CC Letter
7-13-21 LETTER - LAKE MAY RESERVE, FCT Project #11-007-FF11
Harper Extension Request
JTB Thrill Hill-Brown Extension Request
Mount Dora Groves Extension Request 8-20-21
DEO Extension Request 20-04ESR Draft
Notice of Extension - Affected Parties Draft
DEO Extension Request 20-05ESR Draft
Notice of Extension - Affected Parties Draft
DEO Extension Request 20-06ESR Draft
Notice of Extension - Affected Parties Draft

7.2 Discussion with Patels regarding Colonial Inn Motel

Staff Report #21-0318 - Html

7.3 Discussion regarding compensation for Acting City Manager

Staff Report #21-0320 - Html

7.4 City Attorney report concerning removal of Map #19 from the Comprehensive Plan

Staff Report #21-0319 - Html
Barnes email re JPA
Eustis-Lake County JPA Res. 87-34
Map 19

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

Staff Report

TO: Eustis City Commission

FROM: Mary Montez, City Clerk

DATE: November 18, 2021

RE: OCTOBER 14, 2021 - CITY COMMISSION WORKSHOP
OCTOBER 21, 2021 - REGULAR CITY COMMISSION MEETING

Introduction:
This item is for consideration of the minutes of the October 14, 2021, City Commission workshop and the October 21, 2021, regular City Commission meeting.

Attachments:
10-14-2021 CC Workshop MIN - For Approval
10-21-2021 CC MIN - For Approval

Reviewed by:

MINUTES
City Commission Workshop
5:30 PM - Thursday, October 14, 2021 - City Hall

CALL TO ORDER: 5:30 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Nan Cobb, Vice Mayor Emily Lee, Commissioner Willie Hawkins, Commissioner Karen LeHeup-Smith and and Mayor Michael L. Holland

Mayor Holland announced that no public input would be allowed during the workshop; however, anything to be voted on would be brought back to a regular Commission meeting and input would be allowed at that time.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

1. WORKSHOP ITEMS WITH DISCUSSION, PUBLIC INPUT AND DIRECTION

1.1 Discussion on Proposed Comprehensive Plan Text Amendment (2021-CPT-02/Ordinance Number 21-22)

Lori Barnes, Development Services Director, reviewed recent discussions by the Commission regarding the comprehensive plan text amendment noting that it was continued to the date certain of October 21, 2021. She stated it would be considered by the Commission if transmitted by the Local Planning Agency (LPA). She commented on meetings she had with the individual Commissioners and noted that some requests were not included due to there not being a majority of Commissioners that agreed with the suggestions.

Ms. Barnes then reviewed the major areas of concern in common amongst all the Commissioners as follows: 1) Elimination of the Rural Residential (RR) and Agricultural future land use designations; 2) Adding a new residential land use designation; and 3) Elimination of Map #19. She explained the criteria for the Rural Residential designation and the reasons for the recommendation that it be eliminated. She indicated there are currently approximately 30 properties with the RR designation. She stated that the SR (Suburban Residential) designation accommodates the majority of residential development within the City. She cited the need for a minimum amount of residential density in order to make the provision of utilities cost effective noting that one unit per acre would make it difficult to provide City services.

Ms. Barnes then presented the Future Land Use Map and noted the locations with RR designation.

CONSENSUS: It was a consensus of the Commission for the Rural Residential designation to be eliminated.

Ms. Barnes then reviewed the Suburban Residential (SR) designation which permits up to five units per acre. She provided an overview of the SR designation and where it is located within the City. She explained that the comprehensive plan states that a property owner may not necessarily obtain the maximum allowed density based on the application of the City's design district standards and other land development regulations (LDR's) as they are applied on a site specific basis. She stated that the City's LDR's are designed to consider each parcel separately. She then discussed how the design district designations interact with the land use designations stating that the City has twelve different design districts. She presented a map showing the various development patterns within the City and the Design District map.

The Commission questioned the location of different designations with Ms. Barnes responding there is currently one Suburban district in the Florida Foods area and there are no Rural district designations. She added there is not currently a Suburban or Rural Center designation only an Urban center. She indicated that the Rural, Suburban Center or Rural Center could be applicable in the future depending on the proposed uses. She stated that what is mostly seen on the map is Neighborhoods and Corridors.

Ms. Barnes noted recent discussions regarding Randall Arendt. She cited previous workshops in 2015, and as far back as 2004, at which Mr. Arendt gave presentations to the City regarding conservation space, open space and how to preserve those while allowing development. She stated that in 2008 the City contracted with Randall Arendt to assist with the City's revamp of its Land Development Regulations in conjunction with Gladding Jackson to provide the form-based code. She cited a memo which indicated Mr. Arendt was recommending a four-step design process to ensure conservation design in the City's rural design district areas. She stated that the City's regulations provide site design standards for all of the City's districts including the rural design districts that were drafted based on his recommendations and the current City regulations still reflect that. She further stated those standards ensure a site-design process that is based on preservation of wetlands and water bodies, providing open space and planning for developed areas. She explained the four steps outlined by Mr. Arendt and followed by the City. She cited minutes from 2008 and 2009 which state they should focus on overall density rather than lot sizes to help provide the feeling of openness and ruralness and clustering the lots in a concentrated area on the property. She added that, in addition to the Rural site design standards, the City also has standards that require residential compatibility and transitions and cited the ability of developers to have landscape buffers or park space between developments. She noted that Lake County does not require dedicated park space in their subdivisions.

Ms. Barnes noted that three Commissioners expressed the desire to create a new land use designation but there was not total agreement on the density limitations. She stated she is recommending a maximum of 3 dwelling units per acre and that it be limited to within a half mile of the existing joint planning area boundaries and only where the City is not contiguous to another city's joint planning area or in our local service boundary agreement. She explained that the City's north side is bounded by Umatilla's ISBA, the southeast is bounded by Mount Dora's JPA and the southwest is bounded by Tavares's ISBA. She stated the new designation would only allow single family and duplex units, would not allow any multi-family and would provide a transition between the City and outlying County area. She

presented a map showing where the allowed areas would be located, if the designation is approved.

The Commission confirmed what the delineating line is to the east with Ms. Barnes indicating the eastern boundary is Thrill Hill Road and the map indicates slightly beyond that. She noted that the JPA does not limit the City to annexing only within the JPA.

The Commission discussed what would be allowed and whether or not to create the new designation with Ms. Barnes indicating the criteria is included in the staff report but not in the presentation slides.

Commissioner Cobb asked about agricultural/transitional with Ms. Barnes explaining there was not a consensus during the individual meetings to allow agricultural uses by right within City limits. She explained the current regulations allow anyone in any land use district may request a conditional use permit (CUP) and the City Commission can base their decision on the site characteristics and can impose conditions on the conditional uses to insure compatibility with the surrounding area. She further explained that the other Commissioners felt it was important to maintain control. She added that, if a large development wanted to include an agricultural use in their project, they could request that permission through their preliminary plat approval.

Commissioner Cobb commented on her desire to allow an agricultural transitional use out to the east. She questioned whether or not property owners would have to keep coming back for permission.

Ms. Barnes responded that a developer could request a blanket approval for a new development which would allow specific types of agricultural within the development. She indicated anyone can apply at this time for a CUP. She further explained that, if someone is currently in the County and they are already using their property for an agricultural use at the time they request annexation, their use would be permitted to continue as a pre-existing nonconforming use and they would not have to request a CUP. However, if it was a vacant property that they later built on and wanted to have an agricultural use, they would have to apply for the CUP. Depending on the size of the property and adjoining uses, staff may recommend certain conditions.

The Commission further discussed conditional use permits and the affiliated cost with Ms. Barnes stating that staff could bring back the fee schedule for revision.

Commissioner LeHeup-Smith recapped what she heard as follows: 1) If they are in the county and the agricultural use is existing and they come into the City the use can continue; 2) If it is vacant and they want to add they have to request a CUP one time; and 3) If they are in the County, the use may continue and if they annex the use can continue.

CONSENSUS: It was a consensus to create the new land use designation with three units per acre.

Ms. Barnes then cited the next proposal to eliminate the Agricultural future land use designation. She reviewed the criteria for the Agricultural designation noting

that there are only two properties currently in the City with that designation. She stated that if a property meets the criteria for annexation, it is considered to be suitable for urbanization noting discussion by Gladding Jackson in 2010 when the comprehensive plan was being re-written. She added that agricultural uses can be sometimes detrimental to surrounding residential development. She commented on the existing conditional use permit process which provides the Commission with some control over what may be allowed. She cited a previous application for the Pine Meadows area where the developer wanted to be able to offer equestrian uses. She explained the conditions the Commission placed on that development including that a home had to be built on the lot before the property could be used for horses and no boarding or other commercial activities would be allowed. Ms. Barnes noted the only two properties in the City designated as Agricultural and explained that an agricultural exemption is based solely on the actual agricultural use not the land use designation.

Commissioner Cobb indicated she had no problem with getting rid of the Agricultural designation on the two properties. She expressed her concern regarding eliminating agriculture completely.

Discussion was held regarding whether or not to eliminate the Agricultural designation with Commissioner LeHeup-Smith noting that if they have an existing agricultural use it could continue.

Ms. Barnes confirmed that the next JPA working group meeting is scheduled for October 18th with first reading on the amendment to be held on October 21st. She indicated they could leave in the elimination and then make changes on first reading if they so desired.

Further discussion was held regarding the Agricultural designation and the continuing negotiations with Lake County.

Ms. Barnes explained they are eliminating the Agricultural designation but not eliminating the opportunity to continue an agricultural use or to request an agricultural use. She further explained that cities by design are supposed to be urban. She stated that agricultural uses tend to have negative impacts on other properties so most cities do not have an agricultural designation. She added that, if the Commission decides to retain the designation, she would like the opportunity to change the Agricultural definition.

Discussion was held regarding including agricultural in the new designation.

Ms. Barnes clarified that Commissioner Cobb is proposing that the new designation would be Suburban/Agricultural Transitional and there would be certain agricultural uses allowable in conjunction with the residential uses. She stated certain agricultural uses could be added as allowed uses. She stated the concern is that a developer comes in and requests the Suburban/Agricultural Transitional you have certain residents with an agricultural use that negatively impacts surrounding residents.

Ms. Barnes then explained the use of the land development designations and cited the possibility of a legal challenge. She further explained staff's intent to minimize the possibility of legal challenges due to inconsistencies in the plan.

CONSENSUS: It was a consensus of the Commission to eliminate the Agricultural designation.

Ms. Barnes indicated she would put on a future agenda a discussion about the conditional use permit application fees.

Ms. Barnes then discussed the required maps for the Comprehensive Plan and presented a copy of Map #1 - City Future Land Use Map. She then presented Map #19 which shows the County Future Land Use Map. She indicated there has been confusion about the applicability of Map #19 as a regulatory map. She stated its inclusion was not due to conversations with Lake County and it is not required to be included in the comprehensive plan. She indicated the County's FLU Map is inconsistent with the City's Future Land Use Element. She stated that discussions indicated the majority of the Commission supported elimination of Map #19.

CONSENSUS: It was a consensus of the Commission to eliminate Map #19.

Ms. Barnes then stated there were no further specific concerns regarding the amendments for the purpose of cleaning up language, eliminating redundant language and removing specificity more appropriate for the land development regulations.

The Commission thanked Ms. Barnes for meeting with them individually to work out the issues.

1.2 Discussion regarding future vision for the City of Eustis

Tom Carrino, Economic Development Director, explained that the presentation will cover the CRA plan as well as affiliated land development regulations. He provided an overview explaining what is a CRA. He emphasized that the CRA funding is 100% local tax dollars funded by the City of Eustis, Lake County, the Water Authority and the Lake County Ambulance MSTU. He stated the CRA is a tool to support and encourage private investment in a designated area to improve the taxable values in the area and increase the taxes paid which are then reinvested in the area. He further explained that the CRA is not federally or state funded nor it is it grant funded.

Mr. Carrino then explained how CRA funds may be leveraged as follows: 1) Pay as you go method where someone builds something and the CRA enters into an agreement stipulating that they get no funding until they build what they agreed to and start paying taxes on that and then those taxes get re-invested into the project; and 2) Bonding or borrowing funding which is repaid by tax proceeds from the project. He stated that either method provides for private projects to pay for their own incentives over time.

The Commission requested further information regarding the bonding or borrowing methods with Mr. Carrino providing examples of each type of funding and how the CRA is protected.

Mr. Carrino then reviewed the history of the Eustis CRA and the CRA boundaries. He explained the existence of areas in the City that are not within the CRA due to

having to go through a specific process in order to be incorporated into the CRA. He then reviewed the goals and objectives from the 1990 Redevelopment Plan and cited projects that have been accomplished under those goals and objectives. He reviewed the 1995 Waterfront Redevelopment Plan which was distributed to the Commission in hard copy. He cited the addition of the Main Street Preservation Plan and Commercial Facade Guidelines in 1998. He noted that the 2002 CRA amendment was discussed but never actually adopted. He cited the following amendments: 1) 2004 resolution to create a Brownfields area; 2) 2008 Eustis Downtown Master Plan; and 3) 2009 East CRA Master Plan.

Mr. Carrino discussed the downtown redevelopment plan noting the three identified catalyst sites as the Waterman site, Sharp's Mobile Home Park and Grove Square Shopping Center. He indicated that the East CRA Master Plan marketing piece was the only thing actually adopted in 2009. He reviewed various goals included in the 2009 East CRA plan. He noted that recently residents asked that no more retention ponds be placed in the neighborhood and stated that should not be required as the City has addressed most of the drainage issues.

Mr. Carrino then reviewed the 2016 Redevelopment Plan noting that the CRA was extended for another 30 years. He indicated that everything was incorporated into one new plan rather than amending the old plan. He provided an overview of the 2016 plan and cited the individual catalyst sites and various goals and objectives.

The Commission commented on the intent of the bypass and questioned how the City can encourage travelers to use the bypass. Comments were made on the need to determine how to get people to stop in Eustis.

Mr. Carrino commented on the change in transportation philosophy and the intent of FDOT to slow traffic down and make it safer.

Discussion was held regarding rebuilding the downtown to get more people to come there.

Mr. Carrino then reviewed the public input from the 2017 community meetings and online survey. He commented on the 2018 CRA boundary expansion including the required finding of necessity and presented a map showing the expansion. He noted that the appointment of residents to the CRA Review Committee will be on the October 21st Commission agenda and stated the staff report includes discussion on the process for moving forward.

The Commission discussed the need for more projects to be completed within the CRA with Mr. Carrino citing projects that have been completed.

Commissioner Cobb cited drainage projects that were also funded by the Lake County Water Authority and Lake County as well as the CRA.

Mr. Carrino commented on the Florida Redevelopment Association website. He cited the following criteria for projects: 1) Is it in the plan; 2) Is it in the CRA district; and 3) Does it meet some criteria within the state statute.

Discussion was held regarding issues with the extension of Bates Avenue including the higher price tag, wetlands in the way, and some residents not

wanting it.

Discussion was held regarding the need to insure quality with whatever is done with comments on what was done at Palmetto Park.

Ms. Barnes reported on how the City's regulations over time have been amended to address CRA goals and objectives. She stated that the strategic plan does address focusing economic development on all of Eustis, not just on the Central Business District. She added that it also discusses encouraging residential and commercial redevelopment in the CRA as a whole utilizing incentives and other initiatives. It also calls for the City to work constructively with future developers for redevelopment of the catalyst sites. She indicated that the comprehensive plan also has objectives regarding facilitating infill development within older sections of the City and revitalizing east Eustis and the downtown.

Ms. Barnes explained how all of the City's regulations work together to guide the urban form which is necessary to create a vibrant downtown or mixed use community as in the east CRA area. She noted the architectural guidelines which were originally adopted only as guidelines and not incorporated into the code so they were not enforceable. She explained that they were finally incorporated into the code in 2014 so they are now enforceable. She cited the adoption of a mandatory mixed use in the downtown core in 2016. She then commented on the City's form-based code citing how the design district insures the compatibility. She provided examples for downtown and the east side of the CRA showing how the design district criteria is applied.

The Commission confirmed that the former Waterman lots are just outside the commercial historic district with Ms. Barnes indicating the majority of that historic district is developed. She stated that is a National Historic Landmark register designation not a local landmark designation; therefore, they don't have to come to the City to do certain things unless they are proposing to do something to their exterior facade.

2. ADJOURNMENT: 7:27 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 or verbatim transcript of the meeting can be obtained from the office of the City Clerk for a fee.

MINUTES
Regular City Commission Meeting
6:00 PM - Thursday, October 21, 2021 - City Hall

INVOCATION: MOMENT OF SILENCE WAS HELD

PLEDGE OF ALLEGIANCE: COMMISSIONER HAWKINS

CALL TO ORDER: 6:01 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Willie Hawkins, Commissioner Karen LeHeup-Smith, Commissioner Nan Cobb, Vice Mayor Emily Lee and Mayor Michael Holland

1. AGENDA UPDATE

1.1 Tom Carrino, Acting City Manager, announced that County Attorney Melanie Marsh would be providing a presentation regarding the proposed County Commission re-districting.

2. APPROVAL OF MINUTES

2.1 September 9, 2021 - Regular City Commission Meeting

Moved by Vice Mayor Lee, seconded by Commissioner Hawkins, to approve the Minutes as submitted. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Commissioner LeHeup-Smith, Commissioner Cobb, Vice Mayor Lee and Mayor Holland

3. PRESENTATIONS

3.1 Recognition of Sgt. Phil Livingston upon his retirement from the Eustis Police Department

Chief Craig Capri announced the retirement of Sgt. Phil Livingston. He complimented Sgt. Livingston on his career with the Eustis Police Department and read a proclamation of recognition. He presented to him his department-issued gun with a commemorative gun box. He also presented to him a shadow box with all of his accomplishments.

Sgt. Phil Livingston recognized co-workers that he worked with over the years and thanked the City and community members and his family for their support.

Mayor Holland expressed to Sgt. Livingston the appreciation of the Commission and the rest of the City. He then asked Chief Capri to provide an update on recent activities.

Chief Capri reported to the Commission regarding an incident that occurred on Saturday due to a call for help regarding someone attempting to break in to a lady's home. He provided a rundown of how the incident occurred. He commented on the negative emails the department has received since the incident. He emphasized the amount of de-escalation training department personnel have received and noted a conference call that he and the Mayor were involved with personnel from UCF regarding how similar incidents may be avoided in the future. He commented on the issues involved with individuals with mental illness. He cited the department's efforts to establish a registry for disabled individuals within the City.

The Commission expressed support for the department indicating they handled the incident as best they could. Support was expressed for establishing a database and noting a program which distributes magnets to designate a house as an autistic home.

3.2 Presentation regarding proposed County Commission re-districting

Melanie Marsh, County Attorney, provided a presentation to the Commission regarding the proposed County Commission re-districting and reviewed the required process and how the new districts are determined. She stated that, while they try to keep entire cities together in one district, because they use census blocks they are not always able to do that. She indicated that under the new map the following cites are divided: 1) Minneola - between Districts 1 and 2; 2) Clermont - between Districts 1 and 2; 3) Leesburg - between Districts 1, 3 and 5; 4) Eustis - between Districts 3 and 4; and 5) Groveland - between Districts 1 and 2. She then explained they are required to hold two public hearings which will be held November 2nd and November 16th, after any suggested changes are made, then the final adoption will be held December 7th. She added that, if the new map is not adopted by December 31st, then they will not be able to make the change until 2023.

Commissioner Cobb requested the Commission receive a more detailed map showing the roads in the City with Ms. Marsh indicating she can ask the County GIS to do that.

The Commission asked which cities are currently split with County Commission Chairman Sean Parks responding that currently Districts 1 and 5 share part of Leesburg and 4 and 5 are split.

Discussion was held regarding how the cities will be split.

Vice Mayor Lee asked how a City resident determines which County Commissioner to go to with a problem with Mr. Parks indicating they could go to either one.

Ms. Marsh indicated the County's GIS Department are the ones that established the lines based on the numbers with little to no input from the County Commissioners.

Mayor Holland reiterated the request for a more detailed map and expressed

concern regarding how the proposed map changes the balance of power in the county.

Ms. Marsh indicated that any resident can contact any County Commissioner, not just their district commissioner.

4. APPOINTMENTS

4.1 Appointment of CRA Review Committee

Tom Carrino, Interim City Manager, commented on the appointment of the community representatives to the CRA Review Committee. He stated the recommended appointees are as follows: 1) Marie Aliberti; 2) Horace Jones; 3) Tom Popeski; 4) Bryan Broomfield; and 5) Christine Cruz. He indicated he has begun distributing materials to the appointees and cited the need to set a date for an organizational meeting.

Moved by Commissioner Hawkins, seconded by Commissioner Cobb, to approve the recommended appointments as submitted. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Commissioner LeHeup-Smith, Commissioner Cobb, Vice Mayor Lee and Mayor Holland

5. AUDIENCE TO BE HEARD

5.1 Shellie Carter addressed the Commission regarding 209 W. Badger and expressed concern regarding bugs, vermin and snakes on the property. She stated it is slated to be demolished and needs to be exterminated first. She then addressed the Commission regarding the incident on Saturday with the young autistic man. She stated the police officers were not at fault and suggested that signs could be installed regarding "autistic children in neighborhood".

Yolanda Stevenson Taylor addressed the Commission regarding East Town Community Redevelopment Agency Inc. She distributed sheets to the Commission with the word "trust" and emphasized the need to build a relationship of trust within the community.

Monica Buggs addressed the Commission stating her hope that things will get better and the Commission will work together with the new Committee.

Gail Isaac Thomas announced the next comedy show will be in January and encouraged everyone to come out and support the shows.

Darius Kerrison thanked everyone that attended the last show. He commented on the incident that occurred on Saturday noting he works with the special needs community. He cited the need for officers to build a rapport with the special needs population. He encouraged the officers to get out in the neighborhoods and interact with the residents.

Commissioner Hawkins asked if he would be willing to help build a database. Mr. Kerrison commented on the difficulty of identifying individuals that live in some

of the group homes. He suggested that Chief Capri contact DCF in Wildwood for assistance. He cited issues with residents of some of the group homes. He commented on various methods for handling individuals with mental health or special needs issues.

The Commission asked Mr. Kerrison to provide contact information.

6. CONSENT AGENDA

6.1 Resolution Number 21-79: Approval of Annual Purchases in Excess of $50,000

6.2 Resolution Number 21-80: Annexation Agreement and Developers Agreement to Provide Water Service Outside the City Limits (17385 Lakeview Court)

6.3 Resolution Number 21-81: Approving a purchase in excess of $50,000 for three Water Department replacement service vehicles

6.4 Resolution Number 21-82: Extending the Cash Management and Banking Services contract with TD Bank for an additional two-year term through June 30, 2023

6.5 Resolution Number 21-84: Interlocal agreement with Umatilla Fire Department

Moved by Vice Mayor Lee, seconded by Commissioner Cobb, to approve the Consent Agenda as submitted. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Commissioner LeHeup-Smith, Commissioner Cobb, Vice Mayor Lee and Mayor Holland

7. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

7.1 Resolution Number 21-78: Textile Recycling Collection Bin at 2599 E. Orange Avenue

Derek Schroth, City Attorney, announced Resolution Number 21-78: A Resolution of the City Commission of the City of Eustis, Florida; approving placement of a textile recycling collection bin at 2601 E. Orange Avenue pursuant to Ordinance Number 21-07; providing for conditions of approval.

Lori Barnes, Development Services Director, reviewed the request to place a textile recycling bin at 2601 E. Orange Avenue, explained staff's review of the request and cited the submitted application and other documents provided. She stated the applicant is requesting only one bin at that time and expressed staff's recommendation for approval.

Mr. Schroth opened the public hearing at 7:04 p.m. There being no public comment, the hearing was closed at 7:05 p.m.

The Commission asked about what happens if they do not keep the area clean with Ms. Barnes indicating that the applicant Orla Recycling is required to be in compliance with the ordinance and the resolution and maintain the site. If they do not, the City has contact information for two representatives. If the property is then not cleared, code enforcement action would ensue.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Hawkins, to

approve Resolution Number 21-78. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Commissioner LeHeup-Smith, Commissioner Cobb, Vice Mayor Lee and Mayor Holland

7.2 Resolution Number 21-83: Disposal of Surplus Property

Mr. Schroth announced Resolution Number 21-83: A Resolution of the City Commission of the City of Eustis, Florida; declaring certain real property as surplus; authorizing city staff to publicly advertise and accept bids for the disposal of said property (via sale and purchase or mow to own) in accordance with Florida Statute 163.380; and authorizing the Interim City Manager to dispose of said properties subject to the conditions provided for herein.

Ms. Barnes explained the need for the properties to be declared as surplus and for staff to be authorized to either sell or dispose of the properties through the mow-to-own program. She reviewed a history of the sale of unneeded City properties since 2016 and the development of the mow-to-own program. She explained the criteria for the mow-to-own program. She then explained how the cash bid and mow-to-own applications are processed and prioritized with the intent of obtaining the best return on investment to the City. She reviewed the advantages to the program as follows: 1) Increased ad valorem revenue; 2) Eliminate maintenance costs; and 3) Eliminate potential liability associated with City ownership of lots. She stated staff's recommendation for approval.

Vice Mayor Lee expressed concern regarding whether or not the properties were actually being developed. She noted that there were people who obtained multiple parcels through the mow-to-own program. She stated she received comments regarding the Ace Theater property being disposed of. She expressed support for only selling the property rather than doing the mow-to-own program.

Ms. Barnes responded stating there are two properties that were in the 2016-17 offering that have applied to build two single family homes. She commented on the City's lack of success in selling the properties. She stated that, even if the properties have remained vacant, the City is receiving some tax revenue from the properties and the City is no longer having to maintain the property. She reiterated the priority for applicants stating that 17 were awarded to City residents. If an outside-the-City applicant was awarded a property then no City resident applied for those lots. Regarding individuals receiving multiple lots, she indicated that the City could limit the number of applications allowed per person.

Vice Mayor Lee further expressed concern about buildable lots not being built on.

Mayor Holland stated the criteria could be changed and only open to City residents.

Commissioner LeHeup-Smith commented on the number of phone calls she has received from people interested in the program and the ability of someone to obtain property through sweat equity. She expressed support for continuing the program.

Commissioner Hawkins expressed opposition to people owning multiple lots

through the mow-to-own. He asked if a stipulation could be added that something has to be built within five years.

Ms. Barnes stated that the purpose of the program is to get the property back on the tax roll and eliminate the cost to the City for maintaining the property. She explained to require development would necessitate building in a reverter clause in the deed and then taking back the property which would cost staff time and legal fees.

Discussion was held regarding revamping the program prior to moving forward and whether or not the City should list the properties with a real estate agent.

Commissioner Cobb asked if the revenue from sales would go to the CRA with Ms. Barnes explaining the City owns the property, not the CRA. She stated that the TIF funds would eventually go to the CRA.

Further discussion was held regarding properties staying vacant and the possibility of revising the program.

Mayor Holland asked for a report on the Ace Theater property with Ms. Barnes providing a brief history of the property and the structure's landmark designation. In 2016, the vacant property was declared surplus and a mow-to-own application was approved.

Mr. Schroth opened the public hearing at 7:32 p.m.

Monica Buggs addressed the Commission on behalf of the East Town Community Redevelopment Agency Inc. She indicated she was not against the mow-to-own program but had a problem with the process. She asked that the program be put on hold so that the process can be improved.

Yolanda Stevenson Taylor noted her previous request for the City to hold off on the program and stated it is not a bad program but needs to be improved so that it works correctly.

Commissioner Hawkins expressed concern regarding the expression of lack of trust when this is a new Commission. He stated the community needs to give them the opportunity to do what's right.

Ms. Stevenson-Taylor again commented on the need for trust between the community and the Commission.

Jeremy Brown asked what would constitute a better offer with Mr. Carrino reiterating the prioritization for applications. He indicated there were no incidents where the City had to make a decision between offers.

Mr. Brown asked when it was added to allow building on the property if plans were submitted (prior to end of the two years) with Mr. Carrino stating it was amended in 2017 to allow if someone applied for an actual building permit, then the City would go ahead and deed the property. He confirmed that no one took advantage of that.

Mr. Brown asked if someone were to do that how much would that increase the taxable value with Mr. Carrino indicating it would depend on the value of the structure and on what the Property Appraiser values the property at.

There being no further public comment, the hearing was closed at 7:43 p.m.

Mr. Carrino suggested that a review of the mow-to-own program could be included as part of the responsibilities for the new CRA Review Committee since all of the properties are currently located within the CRA.

The Commission asked if any of the mow-to-own properties are outside the CRA with Ms. Barnes responding there have been some in the past. She noted the City obtains properties in a number of ways citing tax escheatment, donation and code enforcement foreclosure.

The Commission asked what would happen if someone wanted to buy one of the properties with Ms. Barnes indicating, if the City received an offer on one of the properties already declared surplus, staff would bring the offer to the Commission for consideration.

Moved by Commissioner Hawkins, seconded by Commissioner Cobb, to table Resolution Number 21-83. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Commissioner Cobb, Vice Mayor Lee and Mayor Holland

Nays: Commissioner Karen LeHeup-Smith

7.3 Ordinance Number 21-22: Comprehensive Plan Text Amendment

Mr. Schroth noted this ordinance was not transmitted by the Local Planning Agency, therefore, it is withdrawn from the agenda.

7.4 Explanation of Ordinances for Property Located at 1704 Virginia Avenue: Ordinance Number 21-30 - Voluntary Annexation

Mr. Schroth read Ordinance Number 21-30 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 0.06 acres of real property at 1704 Virginia Avenue.

Heather Croney, Senior Planner, presented the proposed annexation of property located at 1704 Virginia Avenue, owned by Shelby Sanders, stating that the proposal includes changing the future land use designation from Urban Medium in Lake County to Urban Residential in the City and assigning a Suburban Neighborhood design district designation. She noted that the annexation does reduce an existing enclave and stated that it is consistent with state statute and City regulations. She indicated the property could not be developed with more than one dwelling unit unless they requested an accessory structure which is allowed. She explained staff's evaluation of the request, indicated water and sewer are available and reported that the existing structure is currently being demolished. She stated staff's recommendation for approval stating that it is consistent with the Comprehensive Plan and Land Development Regulations.

Mr. Schroth opened the public hearing at 7:55 p.m. There being no public comment, the hearing was closed at 7:55 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to approve Ordinance Number 21-30 on first reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Commissioner LeHeup-Smith, Commissioner Cobb Vice Mayor Lee and Mayor Holland

7.5 Ordinance 21-31 - Comprehensive Plan Amendment - 1704 Virginia Avenue

Mr. Schroth read Ordinance Number 21-31 by title 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 0.06 acres of recently annexed real property at 1704 Virginia Avenue from Urban Medium in Lake County to Urban Residential in the City of Eustis.

Mr. Schroth opened the public hearing at 7:56 p.m. There being no public comment, the hearing was closed at 7:56 p.m.

Moved by Commissioner Hawkins, seconded by Commissioner Cobb, to approve Ordinance Number 21-31 on first reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Commissioner LeHeup-Smith, Commissioner Cobb, Vice Mayor Lee and Mayor Holland

7.6 Ordinance 21-32 - Design District Assignment - 1704 Virginia Avenue

Mr. Schroth read Ordinance Number 21-32 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 0.06 acres of real property at 1704 Virginia Avenue.

Mr. Schroth opened the public hearing at 7:56 p.m. There being no public comment, the hearing was closed at 7:56 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to approve Ordinance Number 21-32 on first reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Commissioner LeHeup-Smith, Commissioner Cobb Vice Mayor Lee and Mayor Holland

8. FUTURE AGENDA ITEMS

8.1 Commissioner Hawkins asked for a discussion about hiring a grantwriter. He also asked for discussion about hiring a land use attorney in view of land issues facing the City.
The Commission discussed whether or not to obtain a land use attorney to be used on an as-needed basis.

It was a consensus of the Commission to have a land use attorney with Mr. Schroth noting the City already has a land use attorney under contract - Derek Bruce. He noted that anyone the City uses also needs to be certified in government.

Commissioner Cobb asked about the status of the See-Click-Fix software with Mary Montez, City Clerk, stating that staff would begin utilizing the software the first week of November in order to get more familiar with it, after which, it would be publicized to the public for use.

9. COMMENTS

9.1 City Commission

Vice Mayor Lee reported on the Commission assisting at the high school concession stand. She noted that Rick Gierok and Daniel Millan are working on the cemetery and getting the information into a new software program. She complimented them on the improved maintenance and working on hiring a new sexton.

Commissioner Cobb complimented staff on the Zombie Run and noted the Vet Fest 5K would be the next weekend in Umatilla.

Commissioner Hawkins reported on Lake Community Action Agency (LCAA) stating he attended his first board meeting in March. He indicated he has been talking with the person over their housing program noting they have currently spent approximately $40,000. He cited the amount of their administrative fees. He stated he has asked on three occasions for a list of applications "in the hopper" and has yet to receive it. He expressed concern regarding continuing to work with LCAA. He stated he would prefer to seek another way to help the residents with the budgeted funds.

Vice Mayor Lee expressed agreement.

Further discussion was held regarding the lack of compliance by LCAA with the agreement and the need to do more with the money.

Mayor Holland suggested that could be another topic of discussion for the CRA Review Committee. He expressed concern regarding the amount of support City residents have received from LCAA over the years.

Mr. Carrino indicated that the City will need to see what funds are committed for any homes already in process. He stated that not all of the homes had gone through pre-inspection at the last report.

Vice Mayor Lee expressed concern regarding whether or not the three homes completed are still in good shape noting they were supposed to also provide training about maintenance.

Commissioner Hawkins thanked Mr. Carrino for his assistance at the concession stand. He then presented a video to the Commission of Tyler Williams playing

football. He read a statement from Tyler regarding his battle with cancer and subsequent seizures and citing his love of football. He explained a football game will be held for Tyler on January 9th in Carver Park at 2 p.m. He cited the others involved with the event and invited everyone to attend. He thanked City staff for the job fair. He expressed concern about temporary signs installed across from the Police Department with Mr. Carrino indicating staff would address it.

9.2 City Manager

Mr. Carrino reported he has spoken with most of the Commission regarding engaging in a new strategic plan process noting how long ago the current plan was adopted. He asked them to think about whether they want to start right away or wait for the new City Manager to be hired. He then noted that the Commissioned Without Borders lease expired the end of September and indicated he would work with Pastor Buddy and bring something back. He reported that the City has received the first installment of the ARPA money in the amount of $5 million. He asked Mr. Schroth if he had any additional information regarding use of the funds.

Mr. Schroth stated they are still waiting on a response from the U.S. Dept. of Treasury regarding the use of the funds for the parking garage with Mr. Carrino indicating staff is trying to make sure whatever the City decides to use the funds for is eligible.

Mr. Carrino reported that the City needs to update signatures with TD Bank for checks. He stated that traditionally the signatures are the Mayor, Vice Mayor, City Manager and Finance Director. He indicated staff would work with the Mayor to clarify exactly who the signers would be. He then reported he would be out of town at the Florida Redevelopment Association conference Wednesday through Friday but would be available via telephone and email.

9.3 City Attorney - None

9.4 Mayor

Mayor Holland commented on recent activities including Homecoming. He complimented Parks and Recreation on the Zombie Run and cited the Police and Fire departments as well as the rest of City staff for their efforts. He encouraged everyone to support the local schools.

10. ADJOURNMENT: 8:25 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 or verbatim transcript of the meeting can be obtained from the office of the City Clerk for a fee.*

MARY C. MONTEZ
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: PRESENTATION BY THE EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL ON THE ORANGE BLOSSOM TRAIL/US 441 BROWNFIELDS COALITION

Introduction:
A representative of the East Central Florida Regional Planning Council will be present to provide an update on the Orange Blossom Trail/US 441 Brownfields Coalition.

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 12 Nov 2021
Mary Montez, City Clerk	Approved - 12 Nov 2021

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: RESOLUTION NUMBER 21-93: APPROVING MULTIPLE ANNUAL PURCHASES IN EXCESS OF $50,000 FOR WATER METERS, METER HEADS, AND REBUILD KITS

Introduction:
Resolution Number 21-93 authorizes multiple annual purchases in excess of $50,000 for water meters, meter heads, and rebuild kits which are essential to the daily operations of the Water Department.

Background:
The Water Department uses Neptune Technology's water meters, meter heads, and rebuild kits for their day-to-day operations. Sunstate Meter and Supply was the sole authorized Neptune Distributor for sales, service and warranty of Neptune water products and AMR systems for the state of Florida. Resolution Number 21-79, dated October 21, 2021 approved annual purchases in excess of $50,000 from Sunstate Meter and Supply for these products. Effective October 25, 2021, Sunstate Meter and Supply was purchased by Ferguson Waterworks. Ferguson Waterworks is now 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 is over $50,000 and is included in the approved budget for 2021-2022 fiscal year.

Recommended Action:
Staff recommends approval of Resolution Number 21-93.

Policy Implications:
Not applicable

Alternatives:
1. Approve Resolution Number 21-93
2. Deny Resolution Number 21-93

Discussion of Alternatives:

1. Alternative 1 approves the Resolution.
   Advantages:
   - The City can proceed with uninterrupted new installs and maintenance of water meters.
   - The daily schedule of the Water Department can continue without interruptions caused by lack of inventory.

   Disadvantages:
   - There are no disadvantages to approving the resolution.

2. Alternative 2 denies the Resolution.

   Advantages:
   - There are no advantages to denying the resolution, because these products 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.

Reviewed By:
Brandon Pennington, Water Superintendent
Greg Dobbins, Deputy Director of Public Utilities, Water/Wastewater
Rick Gierok, P.E., Director of Public Works/City Engineer

Prepared By:
Melissa Fuller, Sr. Staff Assistant – Water Department

Attachment(s):
Resolution Number 21-93

Available Upon Request
Sole Source Letter

Budget Impact:
Funds for purchase of water meters, meter heads, and rebuild kits have been included in the approved Fiscal Year 2021-2022 budget.

Attachments:
Resolution No. 21-93

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 12 Nov 2021
Mary Montez, City Clerk	Approved - 12 Nov 2021

RESOLUTION NUMBER 21-93

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPROVING MULTIPLE ANNUAL PURCHASES IN EXCESS OF $50,000 FOR WATER METERS, METER HEADS, AND REBUILD KITS.

WHEREAS, water meters, meter heads, and rebuild kits are essential to the daily operations of the Water Department; and

WHEREAS, the Water Department has a need for these essential products which require multiple annual purchases in excess of $50,000; and

WHEREAS, the City's approved 2021-2022 budget includes funds for the purchase of these products; and

WHEREAS, 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; 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 multiple purchases in excess of $50,000 for water meters, meter heads, and rebuild kits; and

(2) The City Commission hereby authorizes the Purchasing Department to complete transactions in accordance with this resolution; and

(3) That this resolution shall become effective immediately upon passing.

DONE AND RESOLVED, this 18th day of November, 2021, 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:

Mary C. Montez, 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 18th day of November, 2021, by Michael L. Holland, Mayor, and Mary C. Montez, 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 21-93 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.

Mary C. Montez, City Clerk

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: RESOLUTION NUMBER 21-94: APPROVAL OF PURCHASES IN EXCESS OF $50,000 FOR FOUR PUBLIC WORKS HEAVY EQUIPMENT MACHINERY

Introduction:
Resolution Number 21-94 authorizes purchases in excess of $50,000 for four heavy equipment machinery scheduled replacements that are essential to the operations of the Public Works Department.

Background:
The City of Eustis' 5-Year Capital Improvement Plan and approved FY 2021/22 Capital Budget includes the funds to purchase heavy equipment for the Public Works Department to replace timeworn, unreliable machinery. After extensive research, staff has located the equipment to meet the department's needs and can be purchased within the approved budget.

1) A bush hog mower was approved within the 5-year CIP and $35,000 was budgeted for this purchase in FY 2021-22. Staff has found a new Bobcat Compact Tractor with a loader and backhoe for $34,748 which is within the approved 2021/22 Capital Budget. Clark Equipment Company of Fargo, North Dakota is honoring this price per the Sourcewell Contract – 040319-CEC. This equipment is replacing a worn-out tractor scheduled for replacement.

2) A large forklift was scheduled for replacement, approved within the 5-year CIP and $100,000 was budgeted for this purchase in FY 2021-22. Staff posted requests for quotes, the best offer coming from Clark Equipment Company of Fargo, North Dakota. A new Bobcat V923 forklift with telescopic forks for extended reach is priced at $96,378.08, honoring the Sourcewell Contract – 040319-CEC. This price is below the budgeted amount.

3) A Trackhoe Excavator replacement was approved within the 5-year CIP and $250,000 was budgeted for this purchase in FY 2021-22. Staff posted requests for quotes, the best offer coming from Doosan Infracore North America of Suwanee, Georgia. They offered the best price between the Florida Sheriffs Association and the current Sourcewell contract. Pricing

has increased with the new contract year but Doosan Infracore has agreed to honor a quote the City received in August 2021. Their product is a new Doosan Dx300LC-5 Excavator used for digging, pipe laying, loading trucks and maintaining stormwater systems for the price of $234,809.12, which is below the budgeted amount.

4) The approved FY 2021/22 Budget includes $80,000 for a used dump truck to replace a timeworn, unreliable truck that has been scheduled for replacement. This vehicle is essential for the day to day duties of Public Works and Stormwater Maintenance. The City's Fleet Management staff received sales offers from three different used truck dealers. After conducting detailed evaluations of these vehicles, they have determined the truck offered by Impex International Truck Sales in Ocala, Florida is in the best condition for the best price. They are offering this vehicle for $80,000, a 2013 Caterpillar Tri-Axle Dump Truck.

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

Recommended Action:
Staff recommends approval of this resolution.

Policy Implications:
N/A

Alternatives:
Alternatives:
1. Approve the Resolution.
2. Deny the Resolution.

Discussion of Alternatives:
1. Alternative 1 approves Resolution Number 21-94 and authorizes the purchase of the four (4) heavy equipment machinery listed above.

Advantages:
- The City will avoid expensive maintenance and repair on worn out vehicles.
- The City staff will have safe, dependable vehicles to use while performing their responsibilities effectively.
- Disadvantages:
  - There are no disadvantages to approving the resolution.

2. Alternative 2 denies Resolution Number 21-94.
   Advantages:
- There is no advantage to denying the resolution because the replacement vehicles are necessary to provide reliable equipment for staff to perform their duties.

   Disadvantages:
- Vehicle breakdowns cause a disruption in work schedules, which create delays in completing important repairs, maintenance and construction throughout the city.

Reviewed By:

Rick Gierok, P.E. - Director of Public Works
Jobey Jones, Superintendent of Public Works

Prepared By:
Sally Mayer, Administrative Assistant – Public Utilities

Attachments:
Resolution Number 21-94

Budget Impact:
These four heavy equipment replacements were scheduled in the City's 5-Year Capital Improvement Plan and budgeted in the approved Fiscal Year 2021/2022 Capital Budget.

Attachments:
Resolution Number 21-94

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 12 Nov 2021
Mary Montez, City Clerk	Approved - 12 Nov 2021

RESOLUTION NUMBER 21-94

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AUTHORIZING AN EXPENDITURE IN EXCESS OF $50,000 FOR FOUR PUBLIC WORKS HEAVY EQUIPMENT MACHINERY.

WHEREAS, the Five-Year Capital Improvement Plan has scheduled the Public Works Department's purchase of four replacement heavy equipment machinery which requires expenditures greater than $50,000 for FY 2021-2022; and

WHEREAS, the City's Purchasing Department solicited three quotes each for a new compact tractor with loader & backhoe, a new large forklift with telescopic forks, and a new excavator; and

WHEREAS, the City's Fleet Maintenance staff solicited quotes for a used dump truck in accordance with the City's purchasing policies; and

WHEREAS, Staff has determined Clark Equipment Company of Fargo, North Dakota is offering the best price for a new Bobcat Compact Tractor for a total amount of $34,748; and a new Bobcat V923 Forklift for a total of $96,378.08; and

WHEREAS, Staff has determined Doosan Infracore North America of Suwanee, Georgia is offering the best price for a new Doosan Dx300LC-5 Excavator for a total amount of $234,809.12; and

WHEREAS, Staff has determined Impex International Truck Sales in Ocala, Florida is offering the best price and vehicle condition for a used 2013 Caterpillar tri-axle dump truck for a total amount of $80,000; and

WHEREAS, the City's FY 2021/22 approved Capital Budget includes adequate funding for these vehicles; and

WHEREAS, the City Commission must approve any purchase exceeding $50,000.

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

(1) That the City Commission hereby authorizes the purchases in excess of $50,000 for a new compact tractor, a new forklift, a new excavator, and a used dump truck; and
(2) That the City Commission hereby authorizes the Acting City Manager to execute all agreements and contracts associated with the approved purchase.

DONE AND RESOLVED, this 18th day of November, 2021, 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:

Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me, by physical presence, this 18th day of November, 2021 by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 21-94 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.

Mary C. Montez, City Clerk

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: RESOLUTION NUMBER 21-95: BUDGET AMENDMENT AMENDING THE POLICE FORFEITURE FUND TO ACCOUNT FOR EXPENDITURE FOR SENIOR MANAGEMENT TRAINING

Introduction:
Resolution Number 21-95 authorizes a budget amendment to the FY21-22 Police Forfeiture fund budget of $9700 to accommodate the training cost for Senior Management Training through the Police Executive Forum for a member of the Eustis Police Department.

Background:
See attached Staff Report.

Attachments:
Staff Report - Resolution Number 21-95
Resolution Number 21-95 re forfeiture amendment

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 15 Nov 2021
Mary Montez, City Clerk	Approved - 15 Nov 2021

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, INTERIM CITY MANAGER

DATE: NOVEMBER 18, 2021

RE: RESOLUTION NUMBER 21-95
BUDGET AMENDMENT AMENDING THE POLICE FORFEITURE FUND TO ACCOUNT FOR THE COST OF SENIOR MANAGEMENT TRAINING

Introduction:
Resolution Number 21-95 authorizes a budget amendment to the FY21-22 Police Forfeiture fund budget of $9700 to accommodate the training cost for Senior Management Training through the Police Executive Forum for a member of the Eustis Police Department.

Background:
With the recent changeovers in senior management at the Police Department, it is important that the new management personnel receive additional executive level training. Such training is offered through the Police Executive Forum and is very beneficial. The training lasts for three weeks and includes all food and lodging.

Recommended Action:
Staff recommends approval of the resolution.

Budget Impact:
The Fund Balance in the Police Forfeiture Fund will be reduced to account for the expenditure in account 012-2180-521-30-58 in the amount of $9700.

Prepared by:
Pam Gordon, Police Administrative Assistant

Reviewed by:
Craig Capri, Police Chief

RESOLUTION NUMBER 21-95

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA AUTHORIZING A BUDGET AMENDMENT TO THE FY2021-22 POLICE FORFEITURE FUND BUDGET IN ACCORDANCE WITH RESOLUTION NUMBER 10-17.

WHEREAS, the City of Eustis passed Resolution Number 10-17 to account for State and Federal receipt and expenditures of monies taken from forfeitures of contraband seized; and

WHEREAS, the Chief of Police for the City of Eustis has determined that a member of the department is in need of Senior Management training through the Police Executive Research Forum;

WHEREAS, Generally Accepted Accounting Principles necessitate that the available fund balance in the Police Forfeiture Fund is sufficient to cover the cost of training in the amount of $9,700; requiring the funds to be appropriated via an amendment to the FY2021-22 Police Forfeiture Fund.

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of the City of Eustis, Lake County, Florida, that the Finance Director is hereby authorized to:

Amend the FY2021-22 Police Forfeiture Fund Budget by recognizing $9,700 to be appropriated as an expenditure in the operating account of the Fund.

DONE AND RESOLVED this 18th day of November 2021, 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:

Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me, by physical presence, this 18th day of November, 2021 by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

_____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 21-95 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.

_____
Mary C. Montez, City Clerk

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: RESOLUTION NUMBER 21-96: AXON ENTERPRISE INC. CONTRACT RENEWAL

Introduction:
Resolution Number 21-96 authorizes the City Manager to execute all agreements and contracts with Axon Enterprise, Inc. for the purchase of controlled electronic weapons, body worn cameras, evidence.com storage, warranty and service plans, and all other supporting hardware and software in accordance with the proposal documents.

Background:
See attached Staff Report.

Attachments:
Staff Report - Resolution Number 21-96
Resolution Number 21-96 for Axon equipment

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 15 Nov 2021
Mary Montez, City Clerk	Approved - 15 Nov 2021

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, INTERIM CITY MANAGER

DATE: NOVEMBER 18, 2021

RE: RESOLUTION NUMBER 21-96
AXON ENTERPRISE, INC. CONTRACT RENEWAL

Introduction:
Resolution Number 21-96 authorizes the City Manager to execute all agreements and contracts with Axon Enterprise, Inc. for the purchase of controlled electronic weapons, body worn cameras, evidence.com storage, warranty and service plans, and all other supporting hardware and software in accordance with the proposal documents.

Background:
In 2008, the Eustis Police Department fully implemented a controlled electronic weapon program (Taser) for all uniformed road patrol officers. The Eustis Police Department has significantly advanced this program by developing policy and training all sworn personnel to include instructor staff members. The controlled electronic weapon program remains an essential role in providing sworn officers with the ability to utilize non-lethal options in a variety of law enforcement situations. Controlled electronic weapons provide a significant measure of safety to sworn officers, as well as combative or otherwise violent subjects.

In 2013, the Eustis Police Department was one of only a small handful of law enforcement agencies in the State of Florida to fully purchase and implement an agency-wide body worn camera program for all uniformed road patrol officers. The body worn cameras were first generation devices, a technology new to law enforcement. The program experienced great success in protecting officers, establishing evidence in criminal proceedings, providing video and audio supporting transparency in the citizen complaint process, and providing the ability to audit and monitor officer behavior.

The previous contract was a five year, no interest payment schedule which provided for an immediate and full replacement of 32 controlled electronic weapons and 32 body worn cameras to outfit the uniformed patrol division. The proposal included a full warranty for both devices during the five-year period, with unlimited cloud data storage. Evidence.com is the data storage provider, and is CJSTC (Criminal Justice Standards and Training Commission) compliant. The proposal included all ancillary equipment such as holsters, camera holders, data docking stations, cords, batteries, cartridges, etc. The proposal also included 32 new body worn camera exchange at 2.5 years, and a new controlled electronic weapon exchange after the final payment of year 5.

Recommended Action:
Staff recommends approval of the resolution.

Budget Impact:
The Axon Enterprise proposal is a five year, no interest payment schedule which provides for an immediate and full replacement of 37 controlled electronic weapons and 37 body worn cameras to outfit the uniformed patrol division. The proposal includes a full warranty for both devices during the five-year period, with unlimited cloud data storage. Evidence.com is the data storage provider, and is CJSTC (Criminal Justice Standards and Training Commission) compliant. The proposal includes all ancillary equipment such as holsters, camera holders, data docking stations, cords, batteries, cartridges, etc.

The proposal involves an initial payment of $64,954.01 for the first year, with additional yearly installments of $64,953.98 for the remaining four years. The total cost of the proposal is $324,769.88.

Prepared by:
Pam Gordon, Police Support Coordinator

Reviewed by:
Craig Capri, Police Chief

RESOLUTION NUMBER 21-96

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AUTHORIZING AN EXPENDITURE IN EXCESS OF $50,000 FOR THE EQUIPMENT AND CONTRACT THAT ARE ESSENTIAL FOR THE POLICE DEPARTMENT'S BODY CAMERA AND TASER PROGRAM FOR FISCAL YEAR 2021-2022.

WHEREAS, the Police Department first implemented a controlled electronic weapon program in 2008 and a body worn camera program in 2013; and

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

WHEREAS, the City's Fiscal Year 2021/2022 approved budget includes adequate funding for this equipment; and

WHEREAS, the Police Department has been using Axon tasers and body cameras since 2016 and Axon Enterprise is the sole source for these tasers and body cameras in accordance with the City's purchasing policies; and

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

(1) That the Police Department is hereby authorized to spend in excess of $50,000 for the purchase of equipment and contract funded within the existing budget; and
(2) That the City Manager is authorized to execute all agreements necessary to provide said products with the above listed vendors.

DONE AND RESOLVED, this 18th day of November 2021, 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:

Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me this 18th day of November, 2021, by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

_____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 21-96 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.

_____
Mary C. Montez, City Clerk

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: RESOLUTION NUMBER 21-89: PRELIMINARY SUBDIVISION PLAT MODIFICATION WITH WAIVER - ROYAL BROTHERS (GRAFTON RIDGE) PHASE II (EMERGENCY ACCESS)

Introduction:
Resolution Number 21-89 approves a Preliminary Subdivision Plat Modification to expand the area of a previously approved 77-lot single-family detached residential subdivision from 14.8 acres to 15.13 acres to provide for an emergency access point to West Seminole Avenue and defer submittal of site lighting plans to final completion certification. Project is on the east side of David Walker Drive, approximately 1,000 feet north of Mount Homer Road.

Background:
See attached Staff Report.

Recommended Action:
The administration recommends approval of Resolution Number 21-89.

Alternatives:
1. Approve Resolution Number 21-89
2. Deny Resolution Number 21-89

Attachments:
Staff Report Resolution 21-89
Resolution 21-89

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 12 Nov 2021
Mary Montez, City Clerk	Approved - 12 Nov 2021

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: NOVEMBER 18, 2021

RE: RESOLUTION NUMBER 21-89
PRELIMINARY SUBDIVISION PLAT MODIFICATION (PHASE II) WITH WAIVER FOR ROYAL BROTHERS (GRAFTON RIDGE) SUBDIVISION

Introduction:
Resolution Number 21-89 approves a Preliminary Subdivision Plat Modification to expand the area of a previously approved 77-lot single-family detached residential subdivision from 14.8 acres to 15.13 acres to provide for an emergency access point to West Seminole Avenue and defer submittal of site lighting plans to final completion certification. Project is on the east side of David Walker Drive, approximately 1,000 feet north of Mount Homer Road.

Recommended Action:

The administration recommends approval of Resolution Number 21-89.

Background:
Pertinent Site Information:

a. The proposed development is to be located on an upland, wooded and vacant, 15.13-acre parcel acres on the east side of David Walker Drive, approximately 1,000 feet north of Mount Homer Road.

b. On September 9, 2021, the City Commission approved the subdivision via Resolution Number 21-64, with the condition that a modification to include a Phase II emergency access road on property AK 1216834 by November 1, 2021. (Due to delayed annexation of a 66-foot wide lot on W. Seminole Avenue, the project has been submitted for review and approval in two phases, with Phase II addressing the addition of 0.26 acres (66-foot lot) for a fire department required emergency access point on W. Seminole).

c. Annexation of the additional property was completed on October 7, 2021 and the applicant submitted the preliminary subdivision plat modification on October 8, 2021.

d. The site and surrounding properties land uses, design district designations, and existing uses are shown below.

	Future Land Use	Existing Use	Design District
Site	Mixed Commercial/Residential	Vacant	Suburban Neighborhood
North	Public/Institutional	Public Works Yard	Suburban Neighborhood
South	Mixed Commercial/Residential & Urban Residential	Church & Multi-Family	Suburban Neighborhood
East	Mixed Commercial/Residential & Lake County Urban Low	Multi-Family, Medical Office and Single-Family	Suburban Neighborhood & N/A
West	Tavares Medium Density (12 du/ac)	Multi-Family under construction	N/A

e. The site is NOT located in the Wekiva Study Area and is NOT in a high recharge area.

f. On October 26, 2021, the Development Review Committee recommended approval of the modification to proceed to City Commission consideration.

Proposed Preliminary Subdivision Plat Modification:

The applicant is requesting a preliminary subdivision plat modification to expand the property area to include a 0.26-acre lot for a fire department required emergency access point on W. Seminole (Phase II). The increased project area results in the following development characteristics for the subdivision:

Subdivision Component	Code	Provided
Gross Area	n/a	15.13 acres
Net Area (gross area less wetlands, water bodies, flood zones)	n/a	15.13 acres
Lot Typology	House Lot (modified/waivers requires)	77
Density	12 dwelling units/acre maximum	5.09 dwelling units/acre
Open Space	25% minimum	45.5%
Park Space	1.0 acres	1.14 acres

Subdivision Component	Code	Provided
Impervious Surface	40% maximum	40%

Waivers:
The applicant is requesting one additional waiver to the Land Development Regulations as follows:

a) Waiver to Section 102-22(8) which requires submittal of site lighting plans at time of final engineering and construction plan submittal to allow submittal of sight lighting plans to be deferred to final completion certification. The applicant has indicated that Duke Energy will be providing the site lighting for the project, and that they have not been successful in receipt of a photometric plan from Duke Energy. The request to defer to final completion will provide additional time to ensure the plan meets the city regulations an allow construction to commence without delay.

Analysis of Request According to Applicable Policies and Codes:

a. Comprehensive Plan - Future Land Use Element Appendix; Land Development Regulations Section 109-2.6, 109-3, 109-4: 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 (non-residential development): up to 2.5 FAR subject to restrictions in Section 109-3 of the Land Development Regulations.

The preliminary subdivision plat provides for single-family detached homes at a density of 5.09 units per acre (allowed up to 12 du/ac). The plan provides for roadway, sidewalks and maximum lot coverage specified for each lot. The proposed plan is consistent with the Future Land Use Element Appendix of the Comprehensive Plan and the Land Development Regulations.

b. Land Development Regulations – Design Districts Section 109-5.5 Suburban development patterns: Intent. The 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. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers. Each land use provides for pedestrian and bicycle connections.

The subdivision layout meets the intent of the suburban neighborhood development district. The primary subdivision entrance is provided on David Walker Drive with a future emergency access connection to W. Seminole Avenue (to be approved via this Phase II preliminary subdivision plat modification). Sidewalks are provided along David Walker Drive throughout the subdivision as well as pedestrian connections to internal park spaces.

c. Land Development Regulations – Building Lot Types – Section 110-4.2 House Lot

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

Width of 55-feet; Depth of 120-feet; Square Footage of 6,600 feet

Minimum setback requirements for House Lots in Suburban design districts include the following:

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

The subdivision plat proposes modified House Lot typologies, for which the following waiver were approved by the City Commission via Resolution Number 21-64:

a) Waiver to Sec. 110-4.2 to reduce the minimum lot width at the street to allow 40-foot wide lots.
b) Waiver to Section 110-4.2 to reduce the minimum lot depth to allow Lots 6, 7, 10, 11, 51 and 59 to be 95-feet deep; and to allow Lots 5, 12-29, 31, and 62-65 to be 101.5-feet deep.

d. Land Development Regulations - Section 102-22 Final Engineering and Construction Plans (Required Submittals) (8) Photometric plan demonstrating compliance with chapter 115-4.5.

The applicant has requested submittal of site lighting plans to final completion certification. While staff review of the plan to ensure compliance with the regulations is preferable, the applicant has committed to providing site lighting in full compliance with Section 115-4.5. Staff finds the requested deferral is reasonable and should be granted so as to avoid construction delays. Final construction completion certification will not be granted until a compliant photometric plan is submitted to the City.

Summary of Recommendation:

Staff recommends approval of the Royal Brothers (Grafton Ridge) Subdivision modification, with conditions as proposed in the attached resolution. The proposed density of 5.09 units per acre falls below the maximum and the subdivision plan meets or exceeds required design standards per the Land Development Regulations (except where resolution

conditions are included). The requested waiver has been adequately justified, and will not negatively affect the health, safety and welfare of the public.

Alternatives:

1. Approve Resolution Number 21-89
2. Deny Resolution Number 21-89

Discussion of Alternatives:
Alternative 1 approves Resolution Number 21-89

Advantages:

- The property owner can move forward with the proposed development.
- The action will provide for new residential development, potential job creation in the city, and increased tax revenue.
- The action is consistent with the Commission's Strategic Plan policies to encourage economic development.
- The action is consistent with the goals, objectives, and policies of the Comprehensive Plan, including the Housing Element, which outlines the goal to promote safe, sanitary and affordable housing to meet the needs of various household types and income groups characteristic of the city and planning area.

Disadvantages:

- The action includes approval of waivers to the Land Development Regulations.

Alternative 2 denies Resolution Number 21-89.

Advantages:

- The Commission could request modifications to the preliminary plat layout.

Disadvantages:

- The property owner could not develop according to the submitted preliminary plat.
- The City could lose an economic development opportunity.

Budget / Staff Impact:

There would be no direct cost to the City associated with the action other than providing standard City services to the development. There would be no additional staff time beyond the normal plan review process and building inspection. Upon end user development, the City would realize increased tax revenue.

Community Input:
A community meeting was held on March 3, 2021; one member of the public attended. The preliminary subdivision plat approval hearing was held on September 9, 2021 where an opportunity for public input was provided. Development Services has placed the proper legal advertisements for this modification in the newspaper; notified surrounding property owners within 500 feet; and the property was posted. To date, there has been no expressed support or opposition on the proposed resolution.

Prepared By:

Lori Barnes, AICP, CPM, Development Services Director

Attachments

- Resolution Number 21-89 w/Exhibit A – Preliminary Subdivision Plat

RESOLUTION NUMBER 21-89

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A PRELIMINARY SUBDIVISION PLAT MODIFICATION (PHASE II) WITH WAIVERS FOR THE ROYAL BROTHERS SUBDIVISION, A 77-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION, ON APPROXIMATELY 15.13 ACRES ON THE EAST SIDE OF DAVID WALKER DRIVE, APPROXIMATELY 1,000 FEET NORTH OF MOUNT HOMER ROAD.

WHEREAS, S&ME, Inc., on behalf of Royal Brothers and Unitarian Universalist Congregation of Lake County, Inc., has made an application for a Preliminary Subdivision Plat (Phase I) approval of the Royal Brothers Subdivision (Grafton Ridge) a 77-lot single-family residential subdivision on approximately 15.13 acres on the east side of David Walker Drive, approximately 1,000 feet north of Mount Homer Road, as shown in Exhibit A, property more particularly described as:

Alternate Key: 1216826 Parcel Number: 15-19-26-0004-000-01500

NW 1/4 OF SE 1/4 OF SE ¼ ORB 692 PG 2153

Alternate Key: 3906374 Parcel Number: 15-19-26-0004-000-03900

N 311.12 FT OF SW 1/4 OF SE 1/4 LYING SE'LY OF RR R/W—LESS DAVID WALKER DR--IN SEC 15-19-26 ORB 4917 PG 2480

A Portion of Alternate Key: 1094909 Parcel Number: 15-19-26-0004-000-01800

THE SOUTH 130.00 FEET OF THE NORTH 441.12 FEET OF THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 19 SOUTH, RANGE 26 EAST, LAKE COUNTY, FLORI DA, LYING SOUTHEAST OF THE RAILROAD, LESS AND EXCEPT THAT PARCEL DESCRIBED IN RIG HT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 993, PAGE 1234, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

Alternate Key: 1216834 Parcel Number: 15-19-26-0004-000-02500

E 66 FT OF N 173 FT OF SW 1/4 OF SE 1/4 OF SE 1/4 ORB 693 PG 1828

WHEREAS, the property described above has a Land Use Designation of Mixed Commercial/Residential and a Design District Designation of Suburban Neighborhood; and

WHEREAS, detached single family uses are permitted in the Mixed Commercial/Residential (MCR) land use designation; and

WHEREAS, the City Commission finds that approval of the requested waiver does not violate the general intent and purpose of the Land Development Regulations and does not jeopardize the public health, safety, and welfare; and

WHEREAS, the proposed preliminary subdivision plat as submitted is generally consistent with the City's Comprehensive Plan and Land Development Regulations

NOW, THEREFORE, BE IT RESOLVED BY THE EUSTIS CITY COMMISSION AS FOLLOWS:

SECTION 1. That the Royal Brothers (Grafton Ridge) Preliminary Subdivision Plat Modification (Phase II) for a 77-lot single-family residential subdivision, located on David Walker Drive approximately 1,000 feet north of Mount Homer Road, attached hereto as Exhibit "A", is hereby approved with waivers to the Land Development Regulations as follows:

a) Waiver to Sec. 102-22 to defer submittal of a photometric plan demonstrating compliance with chapter 115-4.5 to time of final construction completion certification.

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

a) Submit the Final Plat and Final Engineering and Construction Plans complying with all requirements of the Land Development Regulations and Florida Statutes and the provisions of this resolution within one year of the approval of this resolution.
b) Develop the property in accordance with the approved Preliminary Subdivision Plat as referenced in Section 1 and attached hereto as Exhibit "A."

SECTION 3. That the Royal Brothers (Grafton Ridge) Subdivision modification (Phase II) approval shall be subject to additional conditions as follows:

a) Conditions pursuant to Resolution 21-64 remain in effect.
b) Infrastructure construction certification and acceptance by the City of Eustis shall not occur unless and until:
   i. A photometric plan demonstrating compliance with chapter 115-4.is submitted.

SECTION 4. That this Resolution shall be effective immediately upon adoption.

DONE AND RESOLVED this 18th day of November 2021 in regular session of the City Commission of the City of Eustis, Florida.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

_____
Michael L. Holland
Mayor/Commissioner

ATTEST:

_____
Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me, by physical presence, this 18th day of November, 2021 by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

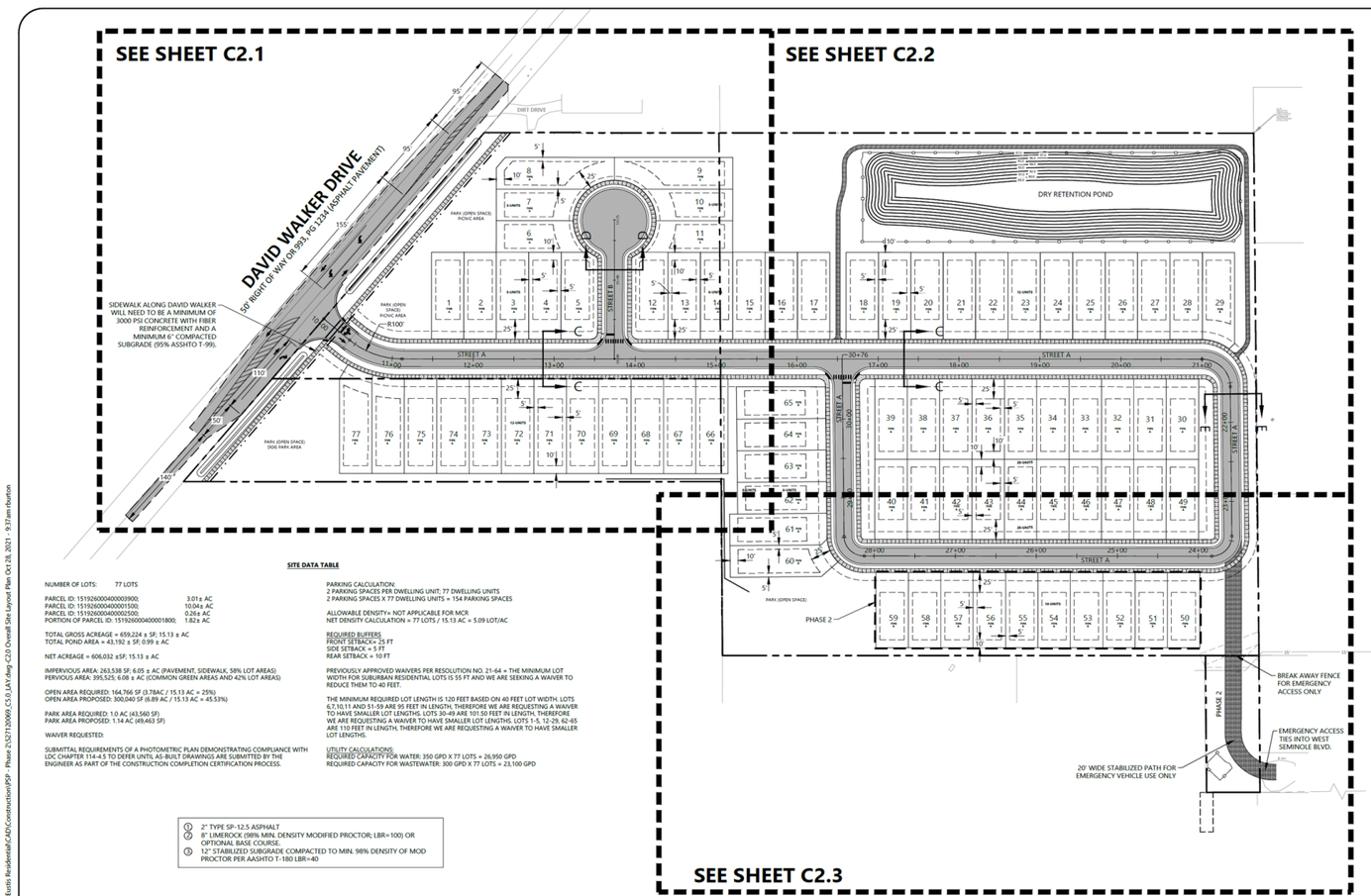
This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida, but I have not performed an independent title examination as to the accuracy of the legal description.

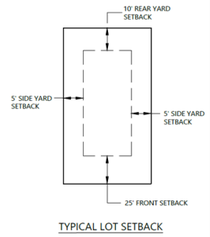
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 21-89 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.

Mary C. Montez, City Clerk





TYPICAL LOT SETBACK

SITE DATA TABLE

NUMBER OF LOTS: 77 LOTS

PARCEL ID: 15192600040000003900; 3.01± AC
PARCEL ID: 15192600040000001500; 10.04± AC
PARCEL ID: 15192600040000002500; 0.26± AC
PORTION OF PARCEL ID: 15192600040000001800; 1.82± AC

TOTAL GROSS ACREAGE = 659,224 ± SF; 15.13 ± AC
TOTAL POND AREA = 43,192 ± SF; 0.99 ± AC

NET ACREAGE = 606,032 ±SF; 15.13 ± AC

IMPERVIOUS AREA: 263,538 SF; 6.05 ± AC (PAVEMENT, SIDEWALK, 58% LOT AREAS)
PERVIOUS AREA: 395,525; 6.08 ± AC (COMMON GREEN AREAS AND 42% LOT AREAS)

OPEN AREA REQUIRED: 164,766 SF (3.78AC / 15.13 AC = 25%)
OPEN AREA PROPOSED: 300,040 SF (6.89 AC / 15.13 AC = 45.53%)

PARK AREA REQUIRED: 1.0 AC (43,560 SF)
PARK AREA PROPOSED: 1.14 AC (49,463 SF)

WAIVER REQUESTED:

SUBMITTAL REQUIREMENTS OF A PHOTOMETRIC PLAN DEMONSTRATING COMPLIANCE WITH LDC CHAPTER 114-4.5 TO DEFER UNTIL AS-BUILT DRAWINGS ARE SUBMITTED BY THE ENGINEER AS PART OF THE CONSTRUCTION COMPLETION CERTIFICATION PROCESS.

PARKING CALCULATION:
2 PARKING SPACES PER DWELLING UNIT: 77 DWELLING UNITS
2 PARKING SPACES X 77 DWELLING UNITS = 154 PARKING SPACES

ALLOWABLE DENSITY= NOT APPLICABLE FOR MCR
NET DENSITY CALCULATION = 77 LOTS / 15.13 AC = 5.09 LOT/AC

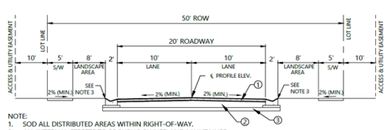
REQUIRED BUFFERS
FRONT SETBACK= 25 FT
SIDE SETBACK = 5 FT
REAR SETBACK = 10 FT

PREVIOUSLY APPROVED WAIVERS PER RESOLUTION NO. 21-64 = THE MINIMUM LOT WIDTH FOR SUBURBAN RESIDENTIAL LOTS IS 55 FT AND WE ARE SEEKING A WAIVER TO REDUCE THEM TO 40 FEET.

THE MINIMUM REQUIRED LOT LENGTH IS 120 FEET BASED ON 40 FEET LOT WIDTH. LOTS 6,7,10,11 AND 51-59 ARE 95 FEET IN LENGTH; THEREFORE WE ARE REQUESTING A WAIVER TO HAVE SMALLER LOT LENGTHS. LOTS 30-49 ARE 101.50 FEET IN LENGTH, THEREFORE WE ARE REQUESTING A WAIVER TO HAVE SMALLER LOT LENGTHS. LOTS 1-5, 12-29, 62-65 ARE 110 FEET IN LENGTH, THEREFORE WE ARE REQUESTING A WAIVER TO HAVE SMALLER LOT LENGTHS.

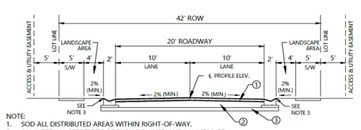
UTILITY CALCULATIONS:
REQUIRED CAPACITY FOR WATER: 350 GPD X 77 LOTS = 26,950 GPD
REQUIRED CAPACITY FOR WASTEWATER: 300 GPD X 77 LOTS = 23,100 GPD

① 2" TYPE SP-12.5 ASPHALT
② 8" LIMEROCK (98% MIN. DENSITY MODIFIED PROCTOR; LBR=100) OR OPTIONAL BASE COURSE:
③ 12" STABILIZED SUBGRADE COMPACTED TO MIN. 98% DENSITY OF MOD PROCTOR PER AASHTO T-180 LBR=40



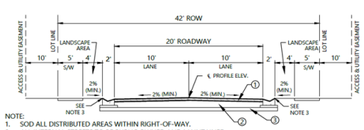
NOTE:
1. SOD ALL DISTRIBUTED AREAS WITHIN RIGHT-OF-WAY.
2. ALL INTERNAL STREETS TO BE PUBLIC OWNED AND MAINTAINED.
3. MIAMI CURB ON ALL STREETS.

C-C / C5.1 RESIDENTIAL STREET CROSS-SECTION
NO SCALE



NOTE:
1. SOD ALL DISTRIBUTED AREAS WITHIN RIGHT-OF-WAY.
2. ALL INTERNAL STREETS TO BE PUBLIC OWNED AND MAINTAINED.
3. MIAMI CURB ON ALL STREETS.

D-D / C5.1 RESIDENTIAL STREET CROSS-SECTION
NO SCALE



NOTE:
1. SOD ALL DISTRIBUTED AREAS WITHIN RIGHT-OF-WAY.
2. ALL INTERNAL STREETS TO BE PUBLIC OWNED AND MAINTAINED.
3. MIAMI CURB ON ALL STREETS.

E-E / C5.1 RESIDENTIAL STREET CROSS-SECTION
NO SCALE

811 Know what's below. Call before you dig.

0 60 120 180
GRAPHIC SCALE (IN FEET)

1615 EDGEWATER DRIVE, STE 200.
ORLANDO, FLORIDA. 32804
T 407.975.1273
F 407.975.1278
www.emeinc.com

Benjamin B Ellis, P.E. 72469
Edward A. Browder PLA LA 6666790

Florida Firm Registration No. 6712
Landscape Firm Registration No. LC26000574

ROYAL BROTHERS
41595 SILVER DR.
UMATILLA, FL 32784

GRAFTON RIDGE
RESIDENTIAL DEVELOPMENT
CITY OF EUSTIS - PHASE 2

LAKE COUNTY, FLORIDA

NO.	DATE	DESCRIPTION	BY	CHK	APV

PROJECT NUMBER
527120069

DRAWING NUMBER
C2.0

DRAWING NAME
OVERALL SITE LAYOUT PLAN

T:\P&D\Projects\2020\5271.20-068_PM\DW_Royal Bros Eustis Residential\CADs\Construction\PSP - Phase 2\527120069_C5.0_LAY.dwg -C2.0 Overall Site Layout Plan Oct 28, 2021 - 9:37am rfurton

EXHIBIT A

Resolution Number 21-89
Royal Brothers Preliminary Subdivision Plat Phase I
Page 1 of 4

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: RESOLUTION NUMBER 21-90: SITE PLAN MODIFICATION WITH WAIVERS - LULU'S CANDLES

Introduction:
Resolution Number 21-90 approves a modification to a previously approved Site Plan with waivers to expand the project area of Lulu's Candles to include Lot 7 for provision of additional parking and approval of an additional waiver to allow a vinyl fence dumpster enclosure in lieu of the required masonry wall.

Background:
See attached Staff Report

Recommended Action:
The administration recommends approval of Resolution Number 21-90.

Alternatives:
1. Approve Resolution Number 21-90
2. Deny Resolution Number 21-90

Attachments:
Staff Report Resolution 21-90
Resolution 21-90

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 12 Nov 2021
Mary Montez, City Clerk	Approved - 12 Nov 2021

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, INTERIM CITY MANAGER

DATE: NOVEMBER 18, 2021

RE: RESOLUTION NUMBER 21-90
MODIFICATION TO A PREVIOUSLY APPROVED SITE PLAN WITH WAIVERS - LULU'S CANDLES IN COBB COMMERCE PARK

Introduction:

Resolution Number 21-90 approves a modification to a previously approved Site Plan with waivers to expand the project area of Lulu's Candles to include Lot 7 for provision of additional parking and approval of an additional waiver to allow a vinyl fence dumpster enclosure in lieu of the required masonry wall.

Recommended Action:

The administration recommends approval of Resolution Number 21-90.

Background:

1. Pertinent Site Information:
   a. The subject property comprises about 2.62 acres of developed land (Lot 8) and 2.93 acres of vacant land (Lot 7) totaling 5.5 acres.
   b. The City Commission previously approved Resolution Number 20-28 for a 23,424 square foot industrial building/light manufacturing facility on Lot 8.
   c. A light industrial use is a permitted use in the MCI land use district.
   d. The property is within the Rural District Design District. The project utilizes the Industrial lot type.
   e. The site and surrounding properties' land use, design district designations, and existing uses are shown below:

	Future Land Use	Existing Use	Design District
Site	Mixed Commercial Industrial	Vacant	Rural District
North	MCI	Wetland	Rural District
South	MCI	Vacant	Rural District
East	Public Institutional	Private School	Rural District
West	MCI	Vacant	Rural District

2. Proposed Development:

   The proposed modification proposes expanding the Lulu's Candles project area by adding Lot 7 to bring the total acreage of the site from 2.62 acres to 5.5 acres. This modification provides for the addition 12 parking spaces and placement of a generator. The applicant is also requesting a waiver to the Land Development Regulations to permit a vinyl fence dumpster enclosure in lieu of the required masonry wall. See Section 3, Waivers for details. (The site plan is attached to the Resolution as Exhibit A).

3. Waiver:

   The applicant has requested a waiver to Section 115-4.10. - Solid waste (dumpsters) to permit a vinyl fence enclosure around the dumpster in lieu of the required masonry wall.

4. Considerations/Waiver Review:

   Sec. 115-4.10. - Solid waste (dumpsters).

   (a)All storage or dumpster/solid waste areas shall be designed with a six foot masonry wall. The wall shall be of a decorative 'split face' concrete masonry, "Norman" brick or standard concrete masonry clad with painted stucco or other masonry veneer. The wall shall include a continuous cap feature and closing gate. (b)In addition to the masonry enclosure, dumpster/solid waste areas shall be treated with a 24 inch high planted hedge that shall reach 36 inches to 42 inches in height and 90 percent opacity within one year.

   The applicant has cited supply chain issues as justification for the requested waiver. The dumpster enclosure is placed to the rear of the structure and lies over 400-feet from the public right-of-way; the required hedge has been provided for on the landscape plan. The location of the dumpster provides for limited visibility and future development on the remainder of Lot 7 will completely shield the dumpster enclosure from public view.

Alternatives:

1. Approve Resolution Number 21-90
2. Deny Resolution Number 21-90

Discussion of Alternatives:

Alternative 1 approves Resolution Number 21-90

Advantages:

a) The property owner can move forward to modify the final engineering and construction plans and complete the project

Disadvantages:

a) The action would approve waivers to the Land Development Regulations.

Alternative 2 denies Resolution Number 21-90

Advantages:

a) The applicant could redesign the site where waivers to the LDRs may not be necessary.

Disadvantages:

a) Project completion may be delayed due to supply chain issues.

Community Input

The department has properly advertised the Resolution in the newspaper; notified surrounding properties within 500 feet; and the applicant posted the property. To date, there has been no expressed support or opposition to the proposed development.

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.

Prepared By:

Lori Barnes, AICP, CPM, Development Services Director

Attachments

- Resolution Number 21-90 (Exhibit A (Site Plan)

RESOLUTION NUMBER 21-90

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A MODIFICATION TO A PREVIOUSLY APPROVED SITE PLAN WITH WAIVERS FOR LULU'S CANDLES IN COBB COMMERCE PARK; EXPANDING THE PROJECT AREA TO INCLUDE LOT 7, INCREASING THE SITE AREA FROM 2.62 ACRES TO A TOTAL OF 5.5 ACRES; PROVIDING FOR ADDITIONAL PARKING AND REQUESTING AN ADDITIONAL WAIVER.

WHEREAS, Bochuzupina LLC has made an application for a Site Plan Modification to increase the project area of a previously approved manufacturing facility building, on approximately 5.5 acres located on Lot 7 and 8 of the Cobb Commerce Park, Cobb Drive, more particularly described as:

Alternate Key: 3910934 Tax ID: 36-18-26-0010-000-00700

COBB COMMERCE PARK PB 70 PG 10 LOT 7 & 8 ORB 5776 PG 1542-1543

WHEREAS, the property described above has a Land Use Designation of Mixed Commercial Industrial (MCI) and a Design District Designation of Rural District; and

WHEREAS, a light manufacturing use is a permitted use in the Mixed Commercial Industrial (MCI) land use designation; and

WHEREAS, the proposed site plan as submitted is generally consistent with the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, the proposed waiver to the Land Development Regulations meets the general intent of the regulations; do not jeopardize the health, safety, or welfare of the public; and include appropriate mitigation; and

NOW, THEREFORE, BE IT RESOLVED BY THE EUSTIS CITY COMMISSION AS FOLLOWS:

SECTION 1.

That the Site Plan for the manufacturing facility, and attached hereto as Exhibit A is hereby approved with the following waiver in addition to previously approved waivers per Resolution Number 20-28:

1. A waiver to Section 115-4.10. - Solid waste (dumpsters) to permit a vinyl fence enclosure around the dumpster in lieu of the required masonry wall.

SECTION 2.

That the Site Plan Approval shall be subject to the owner/developer complying with the following conditions:

a. Obtaining Final Construction and Engineering Plan modification approval within one year, and developing the property in accordance with the approved Site Plan as referenced in Section 1 and attached hereto as Exhibit A.

b. Obtaining and providing copies of all applicable permits from other jurisdictional agencies.
c. Meeting applicable concurrency requirements prior to approval of a final development order.

Section 3.
That should any section, phrase, sentence, provision, or portion of this Resolution be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4.
That this Resolution shall become effective upon filing.

DONE AND RESOLVED this 18th day of November 2021, in regular session of the City Commission of the City of Eustis, Florida.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

Michael L. Holland
Mayor/Commissioner

ATTEST:

Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me, by physical presence, this 18th day of November, 2021 by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida, but I have not performed an independent title examination as to the accuracy of the legal description.

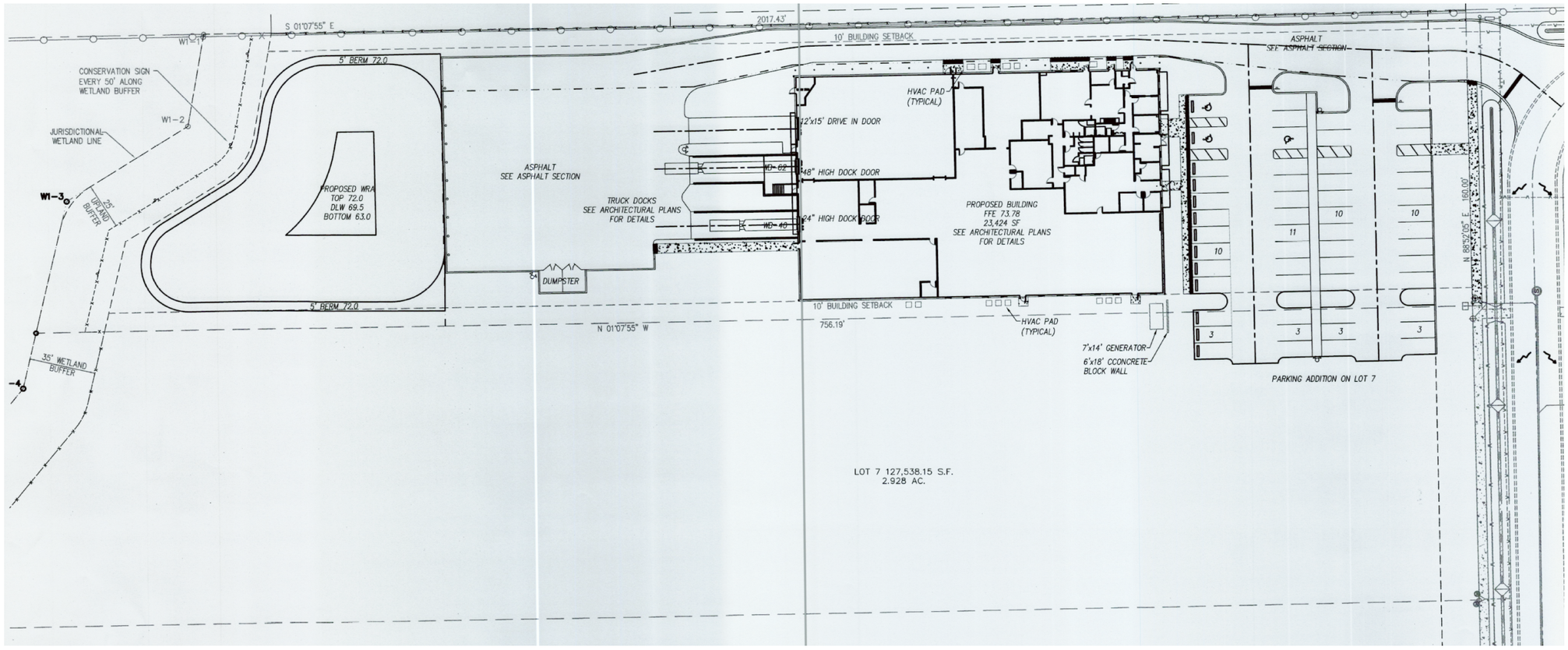
_____
City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 21-90 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.

_____
Mary C. Montez, City Clerk

EXHIBIT A: SITE PLAN



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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: RESOLUTION NUMBER 21-91: MODIFICATION TO APPROVED DEVELOPMENT PLAN BY SITE PLAN WITH WAIVERS - STORAGE DEPOT

Introduction:
Resolution Number 21-91 approves a modification to a previously approved development plan via a Site Plan approval with Waiver for Storage Depot Self-Storage on approximately 7.6 acres at 16301 McKinley Road. Modifications include additional buildings for increased storage space.

Background:
See attached Staff Report.

Recommended Action:
The administration recommends approval of Resolution Number 21-91.

Policy Implications:
See attached Staff Report.

Alternatives:
1. Approve Resolution Number 21-91.
2. Deny Resolution Number 21-91.

Budget Impact:
See attached Staff Report.

Attachments:
Staff Report Resolution Number 21-91
Resolution Number 21-91

Reviewed by:

Mary Montez, City Clerk	Approved - 12 Nov 2021
Lori Barnes, Director	Approved - 11 Nov 2021
Tom Carrino, Interim City Manager	Approved - 12 Nov 2021

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TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, INTERIM CITY MANAGER

DATE: NOVEMBER 18, 2021

RE: RESOLUTION NUMBER 21-91
MODIFICATION TO APPROVED DEVELOPMENT PLAN BY SITE PLAN WITH WAIVERS – STORAGE DEPOT

Introduction:
Resolution Number 21-91 approves a modification to a previously approved development plan via a Site Plan approval with Waiver for Storage Depot Self-Storage on approximately 7.6 acres at 16301 McKinley Road. Modifications include additional buildings for increased storage space.

Recommended Action:
The administration recommends approval of Resolution Number 21-91.

Background:
1. Pertinent Site Information:
   a. The project site comprises approximately 7.6 acres at 16301 McKinley Road.
   b. An existing 1,050 square foot office building as well as 45,139 square feet of storage buildings (5,950 under air conditioning) are currently existing on the property and utilized for Storage Depot self-storage business.
   c. Approximately 1.62 acres of the site is wetlands which will not be impacted by development.
   d. On February 7th, 2008, pursuant to Resolution Number 08-04, the City Commission approved a preliminary site plan for construction of four structures and an addition totaling 16,587 square feet for mini-warehouse/self-storage activity on this site. On March 20, 2008, the Development Review Committee approved a Final Site Plan for the construction that was approved by Resolution 08-04.

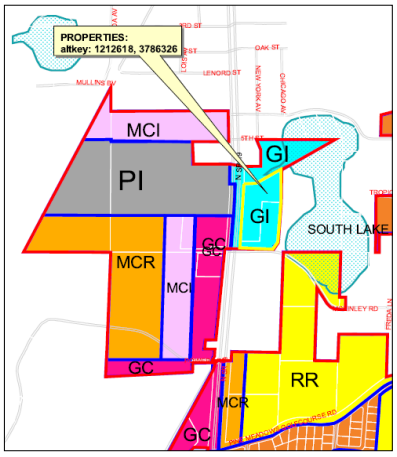


   e. In June 2018, the applicant submitted a modification request to add 15,400-square feet of storage buildings to the existing site. As the plan required no waivers, the Development Plan Modification was approved by the Development Review Committee on October 16, 2018.

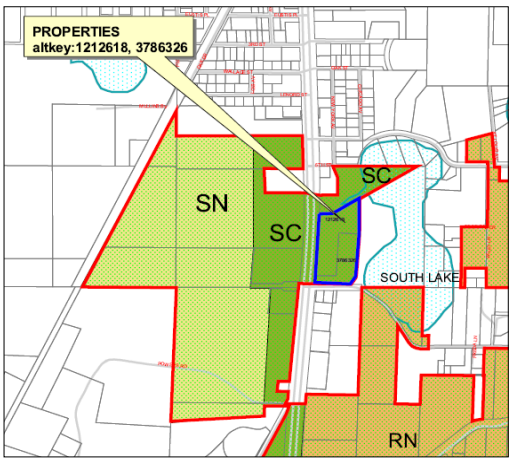
f. The site and surrounding properties' land uses, design district designations, and existing uses are shown below.

	Future Land Use	Existing Use	Design District
Site	General Industrial	Mini-Storage	Suburban Corridor
North	General Industrial	Prime Plumbing (Contractor Office/Yard; Office/Warehouse	Suburban Corridor
South	Lake County Urban Low	Single Family Residential and Wetlands	n/a Unincorporated
East	Lake County Urban Low	Humane Society of Lake County	n/a Unincorporated
West	General Industrial	Church	Suburban Corridor

Future Land Use



Design District



Applicant's Request:

The applicant is requesting Site Plan approval with Waivers for Storage Depot mini-warehouse / self-storage on approximately 7.6 acres at 16301 McKinley Road. Modifications to the approved Development Plan include additional buildings for increased storage space as well as site lighting to accompany the new storage buildings.

Considerations:

But for waivers to the Land Development Regulations (LDRs), this project could be approved administratively via the Development Plan approval process. Waivers to the LDR's for the project are as follows:

1. A waiver to Section 109-5.6 Suburban Performance Standards to allow the use of the industrial lot type within the Suburban Corridor Design District.
2. A waiver to Section 102-25 Time Limitations and Expiration of Approval to permit phasing of the project construction with final build-out completion anticipated in Spring 2026.

The applicant has provided the following justification for the request:

"Requesting a waiver to LDR 109-5.6 to allow the use of the industrial lot type within the Suburban Corridor. We are incorporating some of the commercial design features to mitigate for the industrial lot type.

Requesting a waiver to "Time Limitations and Expiration of Approval" (Section 102-25). Client's justification is the size of the project, the economy, and "COVID". We anticipate the timeline requested is sufficient to complete the project."

Applicable Policies and Codes as to Waiver Requests:

Section 109-2.5. - Industrial districts intent statements.
General industrial district (GI). This land use designation is provided for those businesses that may have one or more objectionable uses such as noise, dust or odor. The purpose of this district is to provide a method whereby industries necessary to the area, but with inherent characteristics which could prove obnoxious or detrimental to a different type of industrial operation, may locate in the most suitable and advantageous spots to minimize inconvenience to the general public. This district also offers greater economy and freedom to the industrial developer by the relaxation of certain standards and screening requirements within the district itself.

The project site is located in the General Industrial land use district.

Sec. 109-5.5. - Suburban development pattern intent statements.
109-5.5(a) Intent. The 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. Nonresidential uses are primarily located on corridors, districts and a mix of uses is prominent in centers. Each land use provides for pedestrian and bicycle connections.
(4) 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 project site is located in the Suburban Corridor design district.

Section 109-5.6 Suburban performance standards.
The city has established four distinct design districts within the suburban area: neighborhood, center, corridor and district. The following provisions apply to all districts. Specific standards by district are also included herein.

(1) Suburban building lot types. The following building lot types are permitted within the city's suburban area:

Building Lot Types	Suburban			
	NHD	DST	COR	CTR
HOMESTEAD				
ESTATE	X		X(3)	
HOUSE	X		X(3)	
COTTAGE			X(3)	
DUPLEX	X		X(3)	
TOWNHOUSE	X (2)		X	X
APARTMENT HOUSE	X (2)		X	X
COURTYARD APARTMENT	X (2)		X	X
APARTMENT BUILDING	X (2)		X	X
LIVE/WORK BUILDING			X	X
MIXED-USE BUILDING	X (1)		X	X
MULTI-STORY COMMERCIAL BUILDING	X (1)		X	X
LARGE-FORMAT RETAIL BUILDING		X	X	
COMMERCIAL BUILDING		X	X	
PEDESTAL BUILDING		X		
LINER BUILDING				

Building Lot Types	Suburban			
	NHD	DST	COR	CTR
INDUSTRIAL BUILDING		X		
CIVIC BUILDING	X	X	X	X
APARTMENT COMPLEX			X	X
RETAIL COMPLEX		X	X	X
INDUSTRIAL COMPLEX		X		

(x) permitted, Blank cell – prohibited

(1) The size shall be limited to neighborhood scale.

(2) All apartment, town home building types are permitted only on parcels with an MCR land use designation or as a part of a mixed-use project that requires a minimum of 15 percent of the development acreage to be devoted to nonresidential support uses.

(3) Permitted within a PUD.

An industrial lot type is not permitted in the Suburban Corridor Design District, so a waiver is requested to this section of the code.

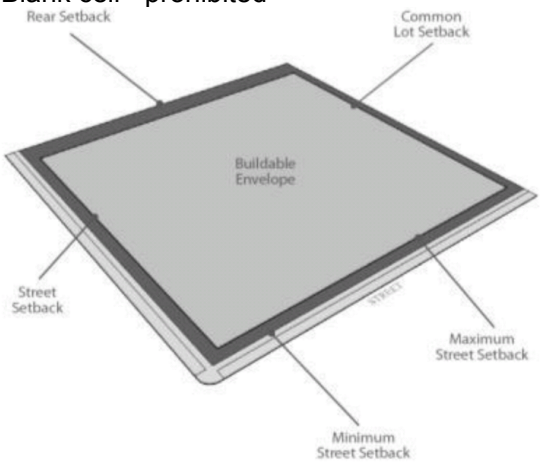
Self-storage and mini-storage are permitted in the General Industrial (GI) land use, but the subject property is in the Suburban Corridor design district, which does not permit an industrial lot type. The applicant is requesting a waiver to Section 109-5.6 of the code to allow the industrial lot type on this property. The site contains existing non-conforming buildings that would be made conforming with the application of the industrial lot type. The applicant has incorporated design features into the building fronting on State Road 19 despite the industrial lot type not requiring architectural. Staff finds this waiver request to be reasonable, and sufficiently mitigated with the design of the building fronting SR 19, and recommends approval of the waiver.

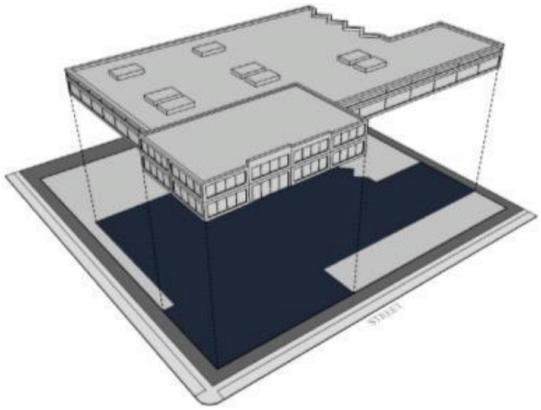
Sec. 110-4.16. - Industrial building lot.
A building lot located and designed to accommodate industrial uses.

LOT REQUIREMENTS	MIN	MAX
Lot Width (ft)	—	500
Lot Depth (ft)	—	500
Lot Size (sf)	—	250,000
BUILDING ENVELOPE	MIN	MAX
Street Setback (ft)	10	—
Common Lot Setback (ft)	10	—
Rear Setback (ft)	25	—
Frontage Buildout (%)	—	—
ACC BLDG ENVELOPE	MIN	MAX
Street Setback (ft)	Permitted in rear yard only; setback 5'	
Common Lot Setback (ft)		
Rear Setback (ft)		
Building Footprint (sf)		
BUILDING HEIGHT	MIN	MAX
Principal Building (st)	1	2
Accessory Building(s) (st)	1	
PARKING PROVISIONS		
Location	Zone 1, 2, 3, 4	
PRIVATE FRONTAGES		
Common Lawn		
Porch and Fence		

Forecourt	
Stoop	
Shopfront and Awning	
Gallery	
Arcade	

X - Permitted
Blank cell - prohibited





The applicant is requesting the allowance to utilize an industrial lot type, which is detailed in Section 110-4.16, in lieu of a commercial building lot type.

Section 102-25. Time limitations and expiration of approval.
(a) Within 12 months of obtaining approval of a site plan or preliminary plat, an applicant must submit final engineering/construction plans or a final plat or request an extension.
(b) Within six months of obtaining approval of development plans or final engineering/construction plans, a developer must begin construction, which shall be demonstrated by applying for and obtaining a building permit or site development permit.
(c) The applicant may apply for extensions of time, not to exceed 12 months per extension, provided the underlying development order complies with the most recent land development regulations in effect at the time the city commission considers the extension request, and provided the development is deemed to be continuing in good faith by the city commission.

Due to the size of the project and financial constraints, the applicant has proposed a phasing plan that anticipates completion of the project to be in Spring 2026. A condition in the ordinance shall require that site work and landscape installation be accomplished during phase one, which should enhance the appearance of the site. The proposed phasing is as follows:

Phase 1

Site Work and Landscape Installation

Building N, Building P, Building Q - Completion Summer 2022

Phase 2

Building M, Building O, Building R - Completion Spring 2024

Phase 3

Building S - Completion Spring 2026

Staff finds this waiver request to be reasonable and recommends approval of the waiver based upon the applicant fulfilling the proposed phasing plan, and including the site work and landscape installation into the first phase to be completed.

Sec. 102-24. - Modifications to approved PUD overlay site plans/preliminary plats and final plats. The development services director is authorized to approve any modifications to approved development plans provided no waivers are requested or required. The development services director may approve minor modifications to an approved PUD overlay, site plan/preliminary plat or final plat, but shall not have the power to approve changes that are inconsistent with the minimum open space requirements or the maximum density, intensity or height of the applicable land use district or that constitute a substantial modification as defined herein. A substantial modification shall be processed in accordance with section 102-12 of these land development regulations as applicable.

As this modification includes waiver requests, City Commission approval is required.

Community Input
The Department has notified adjacent property owners, advertised the resolution in the Daily Commercial newspaper on November 4, and the applicant posted the site. There has been no community contact regarding the notice as of the writing of this report. Development Review Committee meetings were held regarding this request on August 31, October 12, and October 26, 2021, which included attendance by the applicant (Rick Hartenstein of Wicks Engineering Services) and the property owner (Jackson Smith of McKinley, Inc.). The community will have an opportunity for additional input at the meeting.

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.

Alternatives:
1. Approve Resolution Number 21-91
2. Deny Resolution Number 21-91

Discussion of Alternatives:
1. Alternative 1 approves the resolution.
   Advantages:
   - The property owner can continue with the growth and development of this site and self-storage business.
   - The action would improve the self- storage availability to the nearby public.
   - The action would be consistent with the goals, objectives and policies of the Comprehensive Plan.

   Disadvantages:
   - The resolution approves waivers to the Land Development Regulations.

2. Alternative 2 denies the resolution.
   Advantages:
   - The Commission could request revisions to the proposed plan.

   Disadvantages:
   - The property owner would not be able to develop according to the submitted Site Plan.
   - The self-storage availability to the public would not be improved.
   - The city could lose an economic development opportunity.

Prepared By: Heather Croney, Senior Planner

Reviewed By: Lori Barnes, AICP, Development Services Director

Attachments:
- Resolution Number 21-91 with Exhibit A & Exhibit B

RESOLUTION NUMBER 21-91

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; APPROVING A MODIFICATION TO A PREVIOUSLY APPROVED SITE PLAN WITH WAIVER FOR STORAGE DEPOT ON APPROXIMATELY 7.6 ACRES ON THE NORTHEAST CORNER OF STATE ROAD 19 AND MCKINLEY ROAD; PROVIDING FOR THE ADDITION OF 36,200 SQUARE FEET OF ADDITIONAL STORAGE BUILDING SPACE AND REQUESTING WAIVERS.

WHEREAS, Wicks Engineering Services, Inc., on behalf of McKinley, Inc., has made application for approval of a modification to a previously approved Site Plan with waivers for Storage Depot self-storage on approximately 7.6-acres at 16301 McKinley Road, as shown in Exhibit A, property more particularly described as:

Alt. Key: 1212618

Parcel Id No.: 26-18-26-0003-000-02902

BEG AT INTERSECTION OF S LINE OF SEC & E R/W LINE OF HWY 19, RUN N'LY ALONG R/W LINE 805.22 FT, E 144.10 FT, N 59DEG 48MIN E 333.09 FT, S'LY PARALLEL TO & 400 FT E'LY OF E'LY R/W OF HWY 19 A DIST OF 622.05 FT, S 04DEG 42MIN W 237.32 FT, S 37DEG W 142.37 FT TO S LINE OF SEC, W 325 FT TO POB-- LESS S 33 FT & LESS FROM SW COR OF SEC RUN S 89DEG 58MIN 00SEC E 1482.53 FT TO E'LY R/W LINE OF SR 19, N 04DEG 42MIN 00SEC E ALONG SAID E'LY R/W LINE 33.11 FT FOR POB, CONT N 04DEG 42MIN 00SEC E ALONG SAID E'LY R/W LINE 97.56 FT, S 89DEG 58MIN 00SEC E 214.66 FT, N 03DEG 27MIN 44SEC E 467.52 FT, S 86DEG 32MIN 16SEC E 192.38 FT TO A POINT ON A CURVE THAT IS 400 FT FROM & CONCENTRIC WITH E'LY R/W LINE OF SR 19 & HAVING A RADIUS OF 6261.65 FT, THENCE S'LY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02DEG 09MIN 14SEC E 235.40 FT TO A POINT OF TANGENCY THEREOF, THENCE S 04DEG 42MIN 00SEC W 237.32 FT, S 37DEG 00MIN 00SEC W 102.14 FT TO A POINT ON A LINE WHICH IS 33 FT N OF WHEN MEASURED AT RIGHT ANGLES THERETO THE S LINE OF SAID SEC 26, N 89DEG 58MIN 00SEC W 346.52 FT TO POB-- ORB 3116 PG 1515

AND

Alt. Key: 3786326

Parcel Id No.: 26-18-26-0003-000-07300

FROM SW COR OF SEC RUN S 89DEG 58MIN 00SEC E 1482.53 FT TO E'LY R/W LINE OF SR 19, N 04DEG 42MIN 00SEC E ALONG SAID E'LY R/W LINE 33.11 FT FOR POB, CONT N 04DEG 42MIN 00SEC E ALONG SAID E'LY R/W LINE 97.56 FT, S 89DEG 58MIN 00SEC E 214.66 FT, N 03DEG 27MIN 44SEC E 467.52 FT, S 86DEG 32MIN 16SEC E 192.38 FT TO A POINT ON A CURVE THAT IS 400 FT FROM & CONCENTRIC WITH E'LY R/W LINE OF SR 19 & HAVING A RADIUS OF 6261.65 FT, THENCE S'LY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02DEG 09MIN 14SEC E 235.40 FT TO A POINT OF TANGENCY THEREOF, THENCE S 04DEG 42MIN 00SEC W 237.32 FT, S 37DEG 00MIN 00SEC W 102.14 FT TO A POINT ON A LINE WHICH IS 33 FT N OF WHEN MEASURED AT RIGHT ANGLES THERETO THE S LINE OF SAID SEC 26, N 89DEG 58MIN 00SEC W 346.52 FT TO POB. ORB 1755 PG 423

WHEREAS, the property described above has a Land Use Designation of General Industrial (GI) and a Design District Designation of Suburban Corridor; and

WHEREAS, self-storage uses are permitted in the General Industrial (GI) land use designation; and

WHEREAS, the proposed site plan as submitted is generally consistent with the City's Comprehensive Plan and Land Development Regulations; and

WHEREAS, the proposed waivers to the Land Development Regulations meet the general intent of the regulations; do not jeopardize the health, safety, or welfare of the public; and include appropriate mitigation; and

NOW, THEREFORE, BE IT RESOLVED BY THE EUSTIS CITY COMMISSION AS FOLLOWS:

SECTION 1.

That the Site Plan for the Storage Depot self-storage, and attached hereto as Exhibit A, with building elevations attached as Exhibit B, is hereby approved with the following waivers:

a. A waiver to Section 109-5.6 Suburban Performance Standards to allow the use of the industrial lot type within the Suburban Corridor Design District.

b. A waiver to Section 102-25 Time Limitations and Expiration of Approval to permit phasing of the project construction with final build-out completion anticipated in Spring 2026.

SECTION 2.

That the Site Plan Approval shall be subject to the owner/developer complying with the following conditions:

a. Submittal of Final Engineering and Construction Plans within 1 year of Site Plan Approval.

b. Submittal of building permits and completion of construction pursuant to the requested phasing plan as follows:

   Phase 1

   Site Work and Landscape Installation

   Building N, Building P, Building Q - Completion Summer 2022

   Phase 2

   Building M, Building O, Building R - Completion Spring 2024

   Phase 3

   Building S - Completion Spring 2026

SECTION 3.
That should any section, phrase, sentence, provision, or portion of this Resolution be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Resolution as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

SECTION 4.
That this Resolution shall become effective upon filing.

DONE AND RESOLVED this 18th day of November 2021, in regular session of the City Commission of the City of Eustis, Florida.

CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA

Michael L. Holland
Mayor/Commissioner

ATTEST:

Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me, by physical presence, this 18th day of November, 2021 by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida, but I have not performed an independent title examination as to the accuracy of the legal description.

_____

City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 21-91 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.

_____

Mary C. Montez, City Clerk

EXHIBIT A: SITE PLAN

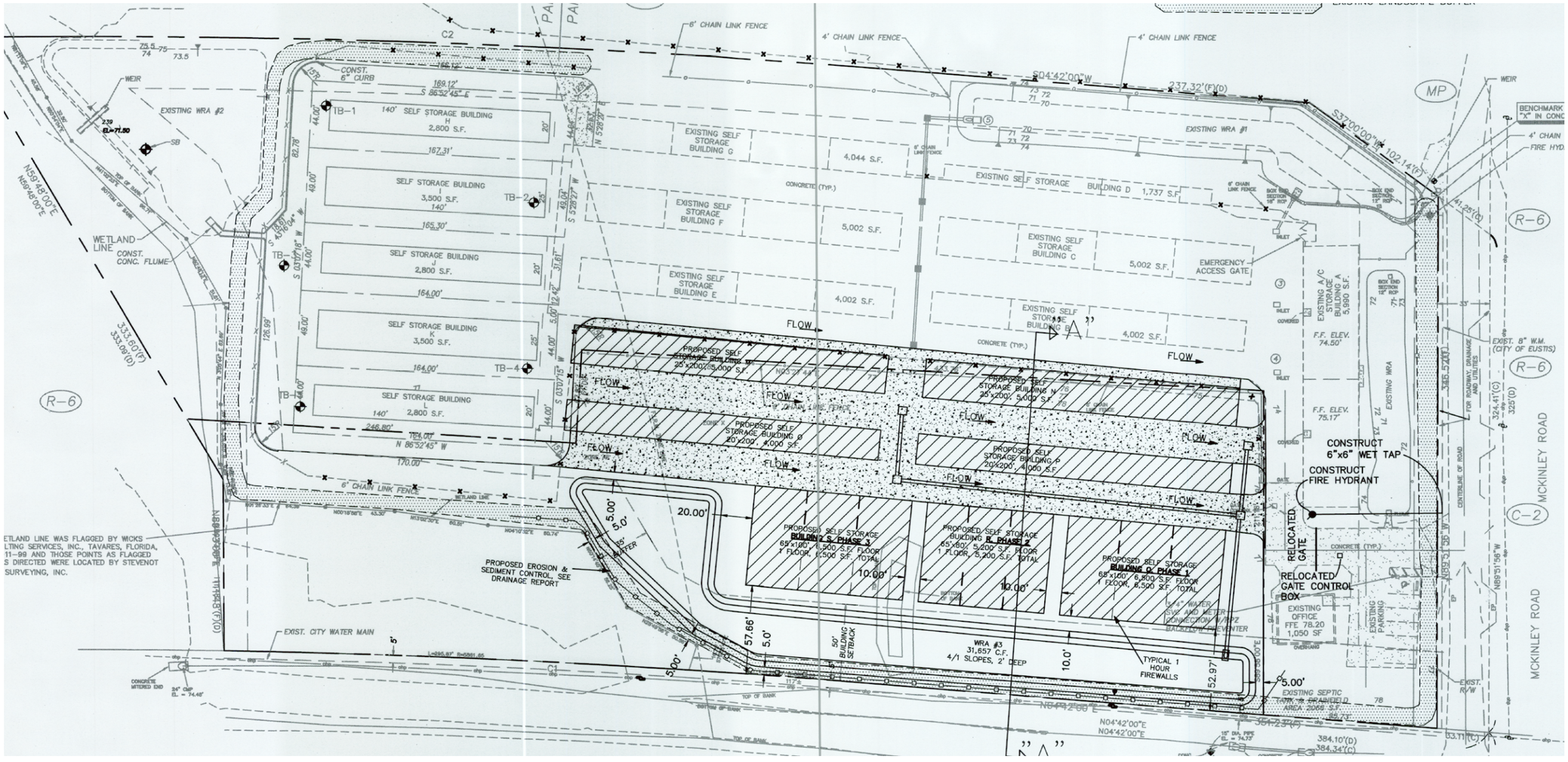
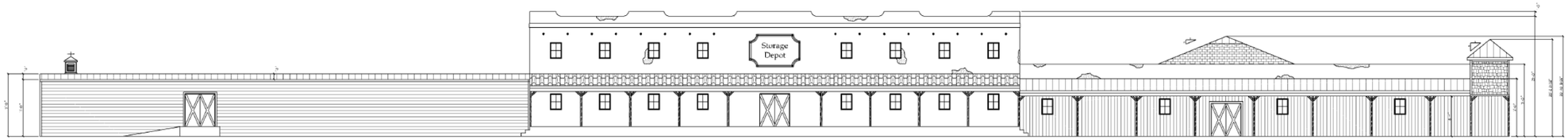
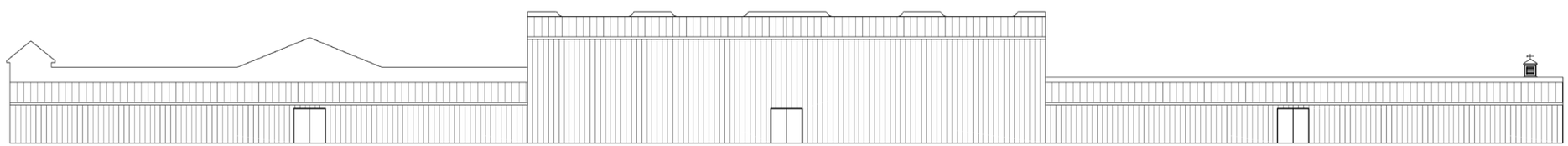


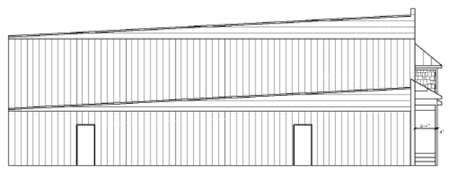
EXHIBIT B



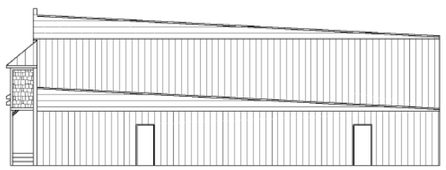
Front Elevation (west)



Rear Elevation (East)



Right Elevation



Left Elevation

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: RESOLUTION NUMBER 21-97: APPROVING AN ORANGE BLOSSOM TRAIL/US 441 BROWNFIELDS COALITION MEMORANDUM OF UNDERSTANDING

Introduction:
Resolution Number 21-97 approves a Memorandum of Understanding (MOU) with the East Central Florida Regional Planning Council (ECFRPC) and the cities of Eustis, Apopka, Kissimmee, and Longwood for the management of a United States Environmental Protection Agency Brownfields Coalition Assessment Grant.

Background:
See attached Staff Report.

Attachments:
Staff Report - Res 21-97 Brownfields Coalition MOU ADA
Resolution 21-97 ECFRPC MOU ADA
FY21 Coalition Agreement Final

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 12 Nov 2021
Mary Montez, City Clerk	Approved - 12 Nov 2021

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

TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, INTERIM CITY MANAGER

DATE: NOVEMBER 18, 2021

RE: RESOLUTION NUMBER 21-97
APPROVING AND RATIFYING AN ORANGE BLOSSOM TRAIL/US 441 BROWNFIELDS COALITION MEMORANDUM OF UNDERSTANDING

Introduction:
Resolution Number 21-97 approves a Memorandum of Understanding (MOU) with the East Central Florida Regional Planning Council (ECFRPC) and the cities of Eustis, Apopka, Kissimmee, and Longwood for the management of a United States Environmental Protection Agency Brownfields Coalition Assessment Grant.

Recommended Action
Staff recommends approval of Resolution Number 21-97.

Background:
In 2017, the City of Eustis joined with the ECFRPC and the cities of Apopka, Kissimmee, and Longwood to form a coalition to apply for United States Environmental Protection Agency (EPA) Brownfields grant opportunities. In 2020, on behalf of the coalition, the ECFRPC submitted an application and was subsequently awarded a $600,000 Brownfields Coalition Assessment Grant. The purpose of the grant is to fund Phase 1 and Phase 2 environmental assessments to facilitate productive re-use of properties.

As part of the grant process, the participating agencies are reviewing and approving the draft MOU. The MOU establishes the ECFRPC as the Lead Agency to manage grant activities, including budgeting, compliance, reporting, and monitoring all grant requirements. The municipal coalition members commit to work cooperatively with the ECFRPC, participate in meetings, work with the ECFRPC in its dealings with the EPA, and provide assistance in implementing the work plan to include identifying brownfield sites, recommending stakeholders for the Brownfields Advisory Committee (BAC), and assisting with logistics.

The City of Eustis has no financial commitment to the grant or the coalition. The main commitment in the MOU is staff time to support grant activities and meetings. Tom Carrino will serve as the primary point of contact to the coalition.

Community Input:
There will be an opportunity for public input when the City Commission considers Resolution Number 21-97. Additionally, there will be numerous opportunities for public input and engagement as the process moves forward, including as part of the Brownfields Advisory Committee.

Budget and Staffing Impact:
The draft MOU allows for the City of Eustis to engage with the coalition on the $600,000 US EPA Brownfields Coalition Assessment Grant. There is no direct financial commitment from the City as part of the MOU. However, the MOU does commit City of Eustis staff to the Assessment Grant process.

Prepared by:
Tom Carrino, Interim City Manager and Economic Development Director

Attachments
Resolution Number 21-97 with accompanying Orange Blossom Trail/US 441 Brownfields Coalition Memorandum of Understanding

RESOLUTION NUMBER 21-97

A RESOLUTION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA APPROVING AND RATIFYING AN ORANGE BLOSSOM TRAIL/US 441 BROWNFIELDS COALITION MEMORANDUM OF UNDERSTANDING, PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, in 2017 the East Central Florida Regional Planning Council (ECFRPC) and the cities of Apopka, Eustis, Kissimmee, and Longwood joined together to form the Orange Blossom Trail/US 441 Brownfield Assessment Coalition (referred to herein as the Coalition) in order to apply for funding opportunities from the US Environmental Protection Agency (EPA) Brownfields Program (the Grant); and

WHEREAS in 2020, on behalf of the Coalition, the ECFRPC, as lead applicant, submitted an application to EPA and was subsequently awarded a Brownfields Coalition Assessment Grant (the "Grant"); and

WHEREAS, in order to memorialize the terms and conditions of the Grant, the ECFRPC, as lead agency, submitted a Work Plan to EPA on January 30, 2021 (the "Work Plan"); and

WHEREAS, pursuant to the Cooperative Agreement, and the terms of the Grant, the Coalition Members are executing this Memorandum of Understanding in order to memorialize their understanding of their respective responsibilities as Coalition Members; and

WHEREAS, the City deems entering into this Memorandum of Understanding and accessing Brownfield Assessment Grant funds to be a proper public purpose, and that facilitating active re-use of properties will achieve important City objectives such as stimulating economic development in the City, increasing property values and ad valorem taxes, and creating jobs; and

WHEREAS, the City is authorized to enter into this Memorandum of Understanding; and

WHEREAS, the City hereby finds that this Memorandum of Understanding is in the best interests of its citizens; and

WHEREAS, the activities provided for in this Memorandum of Understanding support the redevelopment and re-use of properties in the City of Eustis, which is necessary in the interest of the public health, safety, morals and welfare of the City of Eustis.

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

The foregoing whereas clauses are incorporated herein as findings of fact and law.

1. The Orange Blossom Trail/US 441 Brownfields Coalition Memorandum of Understanding is hereby ratified and approved.
2. The City of Eustis authorizes the Mayor to execute the necessary documents to effectuate the agreement.

DONE AND RESOLVED, this 18th day of November, 2021, 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:

Mary C. Montez, City Clerk

CITY OF EUSTIS CERTIFICATION

STATE OF FLORIDA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me, by physical presence, this 18th day of November, 2021 by Michael L. Holland, Mayor, and Mary C. Montez, City Clerk, who are personally known to me.

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

CITY ATTORNEY'S OFFICE

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

_____

City Attorney's Office Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 21-97 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.

_____

Mary C. Montez, City Clerk

Orange Blossom Trail/US 441 Brownfields Coalition Memorandum of Understanding

This Memorandum of Understanding ("MOU") is being entered into this __ day of__, 2021, by and between the East Central Florida Regional Planning Council ("ECFRPC"), an agency of the State of Florida, whose address is 455 North Garland Avenue, Orlando 32801 and we, the undersigned.

RECITALS

WHEREAS, in 2017 the ECRPC and the cities of Apopka, Eustis, Kissimmee, and Longwood joined together to form the Orange Blossom Trail/US 441 Brownfield Assessment Coalition (referred to herein as the Coalition) in order to apply for funding opportunities from the US Environmental Protection Agency (EPA) Brownfields Program (the Grant);

WHEREAS in 2020, on behalf of the Coalition, the ECFRPC, as lead applicant, submitted an application to EPA and was subsequently awarded a Brownfields Coalition Assessment Grant (the "Grant");

WHEREAS, in order to memorialize the terms and conditions of the Grant, the ECFRPC, as lead agency, submitted a Work Plan to EPA on January 30, 2021 (the "Work Plan");

WHEREAS, pursuant to the Cooperative Agreement, and the terms of the Grant, the Coalition Members are executing this Memorandum of Understanding in order to memorialize their understanding of their respective responsibilities as Coalition Members.

I. Coalition Members. This Memorandum of Understanding ("MOU") is being executed by the members of the Coalition, which includes the East Central Florida Regional Planning Council and the cities of Apopka, Eustis, Kissimmee, and Longwood.

II. Goal. The Coalition members will work together to carry out the activities outlined in the Brownfields Assessment Cooperative Agreement Work Plan and incorporated herein by reference as Appendix 1, Work Plan, as approved by EPA for funding under the Grant.

The goal of the Work Plan is to produce the following outcomes:

- Revitalize land and prevent contamination
- Attract investment to the corridor, including in and near Opportunity Zones
- Preserve greenfield areas
- Generate new jobs along the OBT corridor

III. Responsibilities.

A. ECFRPC responsibilities are as follows:

- ECFRPC will act, in its role as Lead Agency, in its representative capacity with EPA on behalf of all members of the Coalition, and ECFRPC agrees to assume administrative responsibility for ensuring the Work Plan is carried out in compliance with EPA requirements and the requirements and conditions of the Cooperative Agreement, including but not limited to, all budgeting, compliance, reporting, and monitoring requirements and compliance with the Federal Funding Accountability and Transparency Act of 2006; provided, however, ECFRPC has no authority to bind the Coalition members to any budget or financial commitments or matters that exceed the Work Plan without an affirmative vote of all of the Coalition members. The ECFRPC will also lead the development and implementation of the Brownfields Community Involvement Plan (CIP), organize the Brownfields Advisory Committee (BAC) meeting, and lead the Analysis of Brownfields Cleanup Alternatives (ABCA). The ECFRPC further agrees to provide timely response to reasonable questions and information requests provided by Coalition members; and lead the analysis of brownfields clean-up alternatives.

- To work cooperatively with the Coalition Members to achieve the goals of the Work Plan.

B. Coalition members responsibilities are as follows:

- To work cooperatively with the ECFRPC to carry out the activities and achieve the outcomes defined in the Work Plan;
- To participate in Coalition meetings and, as appropriate, in meetings of advisory/working groups and other committees established to carry out the Work Plan;
- To work with the ECFRPC in its representative capacity with EPA on behalf of all Coalition members; and
- To fulfill specific roles in implementing the Work Plan by providing leadership and staff support, including, but not limited, to assisting with the identification, prioritization, and selection of brownfield sites, recommending stakeholders for the Brownfields Advisory Committee (BAC) members, assisting with the logistics of organizing community meetings, among others.

IV. Organizational Structure and Decision-making. Each Coalition member has designated an individual to serve as the primary point of contact on its behalf and to represent it in meetings of the Coalition (the "Designated Representative"). The ECFRPC, as Lead Agency, will maintain a list of all Coalition Members and their Designated Representatives.

The Designated Representatives or the alternate will meet at least two times a year to receive reports on the progress of the Work Plan and to serve in an advisory capacity for the Grant activities.

A majority of Coalition members shall constitute a quorum for meetings. In the event that a quorum is not present, the representatives present may discuss the agenda items but defer official actions to a later date.

The Coalition will establish the following advisory/working groups to guide its activities:

- The Brownfields Advisory Committee (BAC) members will assist with the Grant's community outreach efforts and help citizens nominate potential brownfield sites for consideration.

The advisory/working groups may elect to follow Roberts Rules of Order or any other agreed upon parliamentary procedures to conduct their meetings. The membership and characteristics of each advisory/working group will be circulated to all Coalition Members when complete. The ECFRPC shall take

minutes of each meeting of each advisory/working group (except for the Study Focus Station Working Groups where the local governments will take minutes), shall maintain a record of the membership of each advisory/working group and a record of all Coalition and Core Coalition meeting agendas, presentation materials, correspondence, and all other documents that qualify as public records under Chapter 119, Florida Statutes, as well as a brief summary of each Coalition and Core Coalition meeting.

All Coalition and BAC meetings are public meetings and will be noticed at least fourteen (14) days prior to the meeting by the ECFRPC, or noticed by the local government in accordance with such local government's standard public notification procedures. Coalition correspondence, electronic mail, reports, publications, memoranda, and all other documents deemed public records pursuant to Chapter 119, Florida Statutes, shall be preserved accordingly and shall be made available for public inspection upon request. Each Coalition Participant is responsible for maintaining their respective records in accordance with Florida Law.

VII. Accountability. All Designated Representatives shall attend meetings, participate in the tasks and activities as outlined in the Work Plan and this MOU, and provide monthly Progress Reports and Leverage Reporting Forms to the ECFRPC; such forms to be provided to the Coalition Members by the ECFRPC.

IX. Term. The term of the responsibilities described in this MOU shall be October 1, 2021, to September 30, 2023 unless the Grant period is otherwise extended by EPA. The responsibilities set forth in this MOU shall not be affected by the failure of one or more parties to execute this MOU. A copy of the fully-executed MOU will be kept on file at the ECFRPC offices.

X. Amendments. The provisions of this MOU may only be amended as may be mutually agreed upon in writing by the parties hereto.

XI. Counterparts. This MOU may be executed in any number of counterparts, each of which shall be deemed to be an original and all of which together shall constitute one and the same instrument.

XII. Severability. If any part of this MOU is found invalid or unenforceable by any court of competent jurisdiction, such invalidity or unenforceability shall not affect the other parts of this MOU if the rights and obligations of the parties and if the intention of the parties can continue to be effective. To that end, this MOU is declared severable.

XIII. Notices. Any notice, other than notices of public meetings, required or allowed to be delivered hereunder shall be in writing and be deemed to be delivered upon receipt before 5:00 p.m. on a business day by hand delivery, facsimile, overnight courier or U.S. Mail, postage prepaid, certified mail, return receipt requested, or when delivered to a nationally recognized overnight courier service addressed to the person at the address in Appendix 3, Coalition Members and Commitments, or at such other address as the party shall have specified by written notice to the other party delivered in accordance herewith. If written permission is granted by a Coalition member, electronic delivery with return receipt request will be acceptable. If return receipt is not received, one of the aforementioned delivery options will be accomplished.

XIV. This MOU shall be under the governing laws of the State of Florida.

We, the undersigned, have read and acknowledge the responsibilities set forth in this MOU and commit to serve as a participant in the East Central Florida Sustainable Communities Coalition in accordance with the terms outlined herein.

East Central Florida Regional Planning Council

Hugh W. Harling Jr., Executive Director

ATTEST:
Pegge Parker, Office Manager

Date: _____

City of Apopka

Bryan Nelson, Mayor

ATTEST:
Susan M. Bone, CMC, City Clerk

Date: _____

City of Eustis

Michael L. Holland, Mayor

ATTEST:
Mary C. Montez, City Clerk

Date: _____

City of Kissimmee

Olga Gonzales, City Mayor/Commissioner

ATTEST:
Linda Hansell, City Clerk

Date: _____

City of Longwood

_____

Brian Sackett, City Mayor/Commissioner

_____

ATTEST:
Michelle Longo, CMC, City Clerk

Date: _____

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 11, 2021

RE: EXTENSION OF ADOPTION PERIOD FOR ORDINANCES 20-33, 20-36, 20-39 COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENTS FOR ANNEXATION PROPERTIES IN THRILL HILL AREA

Introduction:
The proposed amendments (Ordinances 20-33, 20-36, 20-39) are associated with voluntary annexation requests. Due to actions by the Lake County Board of County Commissioners to block contiguity of the property subject to the annexation and future land use map amendment request, the Eustis City Commission has been unable to proceed with the second hearing and adoption of the amendments.

Background:
The adoption hearing for these proposed amendments and the associated voluntary annexation ordinances was scheduled for December 3, 2020. On December 1, 2020, the Lake County Board of County Commissioners deeded a 25-foot strip of land (part of the Lake May Reserve) to the Elaine Berol Taylor and Scott Bevan Taylor Foundation for the sole purpose of breaking the City's contiguity to the county-owned park to prevent the Eustis City Commission's adoption of the annexation ordinances. (That action was contrary to the covenants and restrictions on the property pursuant to the Lake May Reserve, FCT Project #11-007-FFl 1. Several parties have requested the Florida Communities Trust Governing Board review this action taken by the County without FCT approval. Consideration by the FCT was hoped to occur at their August board meeting, which was cancelled. The next board meeting is February 16, 2021).

The proposed amendments (Ordinances 20-33, 20-36, 20-39) are subject to Florida Statutes, Section 163.3184(3)(c)1,"The local government shall hold its second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments. If the local government fails, within 180 days after receipt of agency comments, to hold the second public hearing, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment." Therefore, these amendments are considered withdrawn unless notice is provided to the Department of Economic Opportunity (DEO) and affected

parties. The applicants have requested an extension to May 11, 2022 to allow City Commission action on the ordinances in the event conditions change. If the extension is not noticed, the City Commission will not be able to act on the amendments as they will be considered withdrawn.

Absent an extension, if action on the voluntary annexation ordinances is ever possible, the comprehensive plan amendment ordinances could not be acted on at the same meeting. The amendments would need to be advertised again for first reading, sent to DEO for state review, and then return to the Commission for adoption following the review process. This process would take an estimated four months to complete, further inconveniencing the applicants.

Draft letters and notices to affected parties are attached for review. Per the definition below, staff has identified 12 affected parties to be noticed.
Florida Statutes 163.3184(a) defines an, "Affected person" includes the affected local government; persons owning property, residing, or owning or operating a business within the boundaries of the local government whose plan is the subject of the review; owners of real property abutting real property that is the subject of a proposed change to a future land use map; and adjoining local governments that can demonstrate that the plan or plan amendment will produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdiction. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written comments, recommendations, or objections to the local government during the period of time beginning with the transmittal hearing for the plan or plan amendment and ending with the adoption of the plan or plan amendment.

Recommended Action:
The administration recommends noticing the extension per F.S. 163.3184(3)(c)(1).

Policy Implications:
Providing notice of the extension has no effect on the ordinances but to allow the City Commission to take future action to adopt the ordinances.

Attachments:
11-007-FF11.Noncompliance.20210223
Spicola 5-25-21 Eustis Florida CC Letter
7-13-21 LETTER - LAKE MAY RESERVE, FCT Project #11-007-FF11
Harper Extension Request
JTB Thrill Hill-Brown Extension Request
Mount Dora Groves Extension Request 8-20-21
DEO Extension Request 20-04ESR Draft
Notice of Extension - Affected Parties Draft
DEO Extension Request 20-05ESR Draft
Notice of Extension - Affected Parties Draft

DEO Extension Request 20-06ESR Draft
Notice of Extension - Affected Parties Draft

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 12 Nov 2021
Mary Montez, City Clerk	Approved - 12 Nov 2021

FLORIDA DEPARTMENT OF
Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

February 23, 2021

Melanie Marsh
County Attorney, Lake County
315 W. Main Street, Ste. 335
Tavares, FL 32778

Via certified mail and email: mmarsh@lakecountyfl.gov

Ms. Marsh:

The Florida Communities Trust ("FCT") has received Lake County's after-the-fact request to transfer ownership of a strip of land in the Lake May Preserve to the Elaine Berol Taylor and Scott Bevan Taylor Foundation ("Foundation").

Grants under the auspices of the Florida Communities Trust are governed by the provisions of Chapter 380, Part III, Florida Statutes. Section 380.502(3)(b) states that the intent of the program is to provide "financial and technical assistance to local governments, state agencies, and nonprofit organizations" to carry out the purposes of the program. Section 380.503(5) defines a nonprofit organization as "any private nonprofit organization, existing under the provisions of §501(c)(3) of the United States Internal Revenue Code, which has among its principal goals the conservation of natural resources or protection of the environment" (emphasis added).

Based on the documents provided by the county, the Foundation may, within the trustee's sole discretion, pursue any activities recognized by the Internal Revenue Service as charitable. There is nothing in the documents creating the trust that requires the trustee to promote conservation of natural resources or protection of the environment or makes these activities a principal goal of the trust. Under these circumstances, the Foundation would not meet the definition of an eligible applicant for FCT funds or qualify for ownership of FCT-funded property. Based on the information currently available to the FCT staff, the county has violated the covenants and restrictions on the property by conveying a portion of the Preserve to a non-eligible recipient.

Based on the above, the county has several options. If the Foundation does have conservation of natural resources or protection of the environment as one of its

principal goals, then you should provide evidence of that to the FCT staff. If not, the county may choose another nonprofit organization that does meet those requirements to take ownership of the property. FCT would need to approve the instrument that transfers ownership, and the nonprofit would need to enter a contract with the FCT and record covenants and restrictions similar to those currently on the property. Alternatively, the county may choose to pursue a land exchange under Rule 62-818.016, Florida Administrative Code. Any of these options will bring the county back into compliance with the grant agreement and the covenants and restrictions on the property.

As I am sure you are aware, the covenants and restrictions on the site provide that if the county violates those restrictions, the site reverts to the Board of Trustees of the Internal Improvement Trust Fund. Thus, it is critical that the county provide the FCT with a plan to bring this grant back in compliance. Please let us know how you plan to proceed within the next 30 days.

Respectfully,

Rebecca S Wood

Rebecca S. Wood
Program Manager

WILLIAM SPICOLA
PA

May 25, 2021

Via Email:	Eustis, Florida City Commission
Attention:	Mayor Michael Holland Vice Mayor Emily Lee Commissioner Karen Leheup-Smith Commissioner Willie Hawkins Commissioner Nan Cobb
Re:	Annexation Requests and Lake County's Unlawful Conveyance of a portion of Lake May Reserve Park ("Reserve Property")

Commissioners:

Thank you for the time and effort you have already spent dealing with the sham and invalid land transfer by Lake County of the Reserve Property. Lake County violated the intent and the explicit requirements of the covenants and restrictions for transferring the Reserve Property in their own Official Records.[1] Lake County violated Chapter 380 Florida Statutes by deeding conservation land purchased with state funds without Florida Communities Trust (FCT) board approval to an unauthorized and ineligible third party. The Florida Department of Environmental Protection told Lake County, "section 380.510(3)(b), Florida Statutes, states "the transfer of land acquired with a trust grant or loan shall be subject to the approval of the trust, and the trust shall enter into a new agreement with the transferee, containing such covenants, reverter clauses, or other restrictions as are sufficient to protect the interest of the people of Florida." Resolution of this matter requires FCT board action because correspondence opposing the transfer has been received. The FCT board currently has three vacancies which creates a lack of quorum and no board meetings are currently scheduled. FCT staff will advise of the next scheduled board meeting at which this item may be presented."[2]

Since that letter was sent to Lake County, on May 14, 2021, Governor Ron DeSantis appointed four new members to the FCT board.[3] Up to today's date, I have inquired with the Florida DEP about the potential for scheduling an FCT board meeting so Lake County's sham and invalid land transfer by Lake County of the Reserve Property can have a public hearing. My contact

[1] Recorded at Book 5783, Page 1876, Official Records of Lake County.
[2] See correspondence attached as Exhibit 1
[3] See press release attached as Exhibit 2

with DEP staff indicates that no action by the FCT board is forthcoming because it will take time to onboard the new board members. Additionally, as I am sure you are all aware, Florida law requires reasonable notice for these board meetings so the public may attend.

Since the FCT board has not acted on the sham and invalid land transfer by Lake County of the Reserve Property, the Commission should postpone considering the annexation request of the adjoining land into the city. This delay should last at least until the FCT board has acted. Thank you for your consideration.

Sincerely,

/S/ William N. Spicola
William N. Spicola
Florida Bar No. 70732
William Spicola P.A.
Post Office Box 664
Tallahassee, Florida 32302
Telephone: (850) 895-1056
Email: William@WilliamSpicolaPA.com

CC: City Manager - Ron Neibert

Exhibit 1

FLORIDA DEPARTMENT OF
Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

April 22, 2021

Melanie Marsh
County Attorney, Lake County
315 W. Main Street, Ste. 335
Tavares, FL 32778

Via email: mmarsh@lakecountyfl.gov

Ms. Marsh:

The Florida Communities Trust ("FCT") received Lake County's response to FCT's non-compliance letter of February 23, 2021, regarding partial conveyance of the FCT project site to the Elaine Berol Taylor and Scott Bevan Taylor Foundation. Your timely response is appreciated.

To cure the noncompliance, the county identified the Friends of Wekiva River, Inc. (FWOR) as a possible transferee of the 25' strip of land in question. While FCT staff believes FWOR is an eligible nonprofit FCT recipient which has the conservation of natural resources or protection of the environment among its principal goals, section 380.510(3)(b), Florida Statutes, states "the transfer of land acquired with a trust grant or loan **shall be subject to the approval of the trust**, and the trust shall enter into a new agreement with the transferee, containing such covenants, reverter clauses, or other restrictions as are sufficient to protect the interest of the people of Florida."

Resolution of this matter requires FCT board action because correspondence opposing the transfer has been received. The FCT board currently has three vacancies which creates a lack of quorum and no board meetings are currently scheduled. FCT staff will advise of the next scheduled board meeting at which this item may be presented.

Respectfully,

Rebecca S Wood

Rebecca S. Wood
Program Manager

cc: Derek A. Schroth, Esquire (dschroth@bowenschroth.com)
William N. Spicola, Esquire (William@WilliamSpicolaPA.com)
Samual A. Miller, CFE (samual.miller@akerman.com)

Exhibit 2

Governor Ron DeSantis Appoints Four to the Florida Communities Trust Governing Board

On May 14, 2021, in News Releases, by Staff

Tallahassee, Fla. — Today, Governor Ron DeSantis announced the appointment of Deborah Denys, Gregory Jones, Frank Mingo and Joseph Durso to the Florida Communities Trust Governing Board.

Deborah Denys

Denys, of New Smyrna Beach, is a former member of the Volusia County Council. Previously, she served as Chair of the Early Learning Coalition of Flagler and Volusia Counties and as a Volusia County School Board member. Denys has volunteered her time with the Indian River Lagoon Council, River to Sea Transportation Planning Organization and the Central Florida Metropolitan Planning Organization. She earned her bachelor's degree in business management from the University of Phoenix.

Gregory Jones

Jones, of Tampa, is the Tampa Division Manager for ICI Homes. Previously, he was a Senior Project Manager for WCI Communities. Jones has volunteered his time on the Escambia County Tourism Development Council and West End Advisory Board.

Frank Mingo

Mingo, of Miami Lakes, is a real estate broker at All Out Realty. Previously, he was an executive with the Oliva Cigar Company and Vice Mayor of the Town of Miami Lakes where he served on the Economic Development Committee.

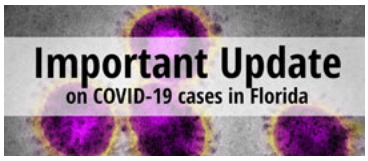
Joseph Durso

Durso, of Longwood, is Vice President of Public Affairs for Embrace Families. He is a former Commissioner for the City of Longwood. Durso has also served as a member of Leadership Florida and on the Orlando Economic Partnership's Central Florida Water Initiative. He earned bachelor's degrees in social science and political science from Florida State University, a master of professional studies from George Washington University and a master of public administration from Harvard University.

These appointments are subject to confirmation by the Florida Senate.

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Comments are closed.















Contact Governor DeSantis

Executive Office of Governor Ron DeSantis
400 S Monroe St
Tallahassee, FL 32399
(850) 488-7146

Email Governor DeSantis

Email Lt. Governor Nuñez

Information Center

Scheduling Requests







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City of Eustis

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

July 13, 2021

VIA ELECTRONIC MAIL (Rebecca.Wood@floridadep.gov)

Ms. Rebecca Wood, Program Manager
Florida Department of Environmental Protection
Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399

RE: Lake May Reserve, FCT Project #11-007-FF11

Dear Ms. Wood –

As Mayor of the City of Eustis, our Commission is considering several annexation requests which relates to, or is otherwise directly affected by, that certain matter pending as FCT Project #11-007-FF11 (the "Project"). Please accept this correspondence as my request that the Project be heard and considered on the August 2021 Agenda by the Florida Communities Trust.

For additional background information, I am desirous to be able to consider the annexation of affected properties into the City of Eustis but have been prohibited from pursuing annexation as a result of Lake County improperly deeding a parcel of the public park to an unqualified recipient.

Very sincerely,

Michael L. Holland
Mayor

August 18, 2021

To whom it may concern:

I consented to allow Eustis to continue to work on the Future Land Use change of my property beyond the 180-day timeline which expired on May 11, 2021. In light of the ongoing litigation around the county park parcel conveyance which precluded me from finalizing the FLU change of my property, I would like to request that the timetable to approve the FLU change of my property be extended to May 11, 2021. The Alt Keys for my property are 1048591, 1039568 & 3028368.

Best regards,

Carole Harper

Carole Harper

10133 Huntsman Path

Pensacola, FL 32514

August 30, 2021

To whom it may concern,

As the applicant for the Comprehensive Plan Amendment, on behalf of the owner, I consented to allow the City of Eustis to continue to work on the Future Land Use change of the properties beyond the 180-day timeline which expired on May 11, 2021. In light of the ongoing litigation around the county park parcel conveyance which precluded the finalizing of the FLU change for the properties, I would like to request that the timetable to approve the FLU change be extended to May 11, 2022. The Alt Keys for the properties are 1039584, 1061512, and 1040175.

Sincerely,



Timothy W. Green, ASLA, AICP, LEED AP

President

August 20, 2021

To whom it may concern:

I consented to allow Eustis to continue to work on the Future Land Use change of my property beyond the 180-day timeline which expired on May 11, 2021. In light of the ongoing litigation around the county park parcel conveyance which precluded me from finalizing the FLU change of my property, I would like to request that the timetable to approve the FLU change of my property be extended to May 11, 2021. The Alt Keys for my property are 1040167 and 1123208.

Best regards,

Mark Simpson

Mt. Dora Groves

445 Limit Ave

Mt. Dora, FL 32757

City of Eustis
Development Services Department
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5460

DRAFT

November 19, 2021

D. Ray Eubanks
Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
107 East Madison Street - MSC 160
Tallahassee, FL 32399-4120
Via Email Only: *Ray.Eubanks@deo.myflorida.com*

RE: Eustis Large-Scale Future Land Use Map Amendment (2020-CPLU-04)
DEO Amendment No. 20-04ESR – Extension Per F.S. 163.3184(3)(c)1

Dear Mr. Eubanks:

Pursuant to the November 12, 2020, June 23, 2021, and August 17, 2021 correspondence from your agency regarding the referenced amendment; be advised that the proposed amendment is associated with a voluntary annexation request. Due to actions by the Lake County Board of County Commissioners to block contiguity of the property subject to the annexation and future land use map amendment request, the Eustis City Commission has been unable to proceed with the second hearing and adoption of the amendment.

City Commission consideration of the adoption of 2020-CPLU-04 (20-04ESR) was originally scheduled for December 3, 2020, which consideration has been continued to a date certain on twelve occasions, most recently to the February 17, 2021 City Commission Meeting. Unless conditions surrounding the proposed voluntary annexation change, the City Commission cannot act on the adoption ordinances, and will likely be continuing consideration of 2020-CPLU-04 once again.

The City Attorney has reviewed the status of the proposed amendment package pursuant to F.S. 163.3184(3)(c)1. While May 11, 2021 would have been the deadline to adopt, the applicant has requested to extend the deadline for one year in order to resolve the issues preventing adoption of this amendment. Therefore, the City of Eustis is extending the deadline as provided for in the Statutes:

> "The second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, must be held within 180 days of your receipt of agency comments or the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S."

Per the requirements, this correspondence serves as notice to the Department. Further, this date, the City has also provided notice to affected parties that provided comment on the amendment on each of the ten hearings held on this amendment thus far.

Thank you for your consideration; please feel free to contact me should you have questions or require additional information.

Sincerely,

Lori Barnes

Lori Barnes, AICP
Development Services Director

c: Tom Carrino, Interim City Manager
Derek Schroth, Bowen and Schroth

File: 2020-CPLU-04

DRAFT

Notice of Extension Per F.S. 163.3184(3)(c)

You are receiving this notice because you are an "affected person" pursuant to the Florida Statutes as related to the proposed Large-Scale Comprehensive Plan Amendment 2020-CPLU-04 (Ordinance No. 20-33). The City of Eustis is required to provide notice when adoption of a proposed Comprehensive Plan Amendment does not occur within 180-days of receipt of State agency comments. No action is required on your part.

TO: Affected Parties

FROM: Lori Barnes, AICP, Development Services Director

DATE: November 19, 2021

RE: Notice of Extension Per F.S. 163.3138(3)(c): Eustis Large-Scale Future Land Use Map Amendment (2020-CPLU-04) Ordinance No 20-33 (DEO Amendment No. 20-04ESR)

The proposed Amendment subject to this notice is associated with a voluntary annexation request. Due to actions by the Lake County Board of County Commissioners to block contiguity of the property subject to the annexation and future land use map amendment request, the Eustis City Commission has been unable to proceed with the second hearing and adoption of the amendment.

City Commission consideration of the adoption of 2020-CPLU-04 (20-04ESR) was originally scheduled for December 3, 2020, which consideration has been continued to a date certain on twelve occasions, most recently to a February 17, 2022 City Commission Meeting. Unless conditions surrounding the proposed voluntary annexation change, the City Commission cannot act on the adoption ordinances, and will likely be continuing consideration of 2020-CPLU-04 once again.

Pursuant to F.S. 163.3184(3)(c)1, "The second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, must be held within 180 days of your receipt of agency comments or the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S." While May 11, 2021 would have been the deadline to adopt, the applicant has agreed to extend the deadline for one year in order to resolve the issues preventing adoption of this amendment.

This correspondence serves as notice to "affected parties," and notice has been provided to the Department of Economic Opportunity as required.

ORDINANCE NO. 20-33: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING THE CITY OF EUSTIS COMPREHENSIVE PLAN PURSUANT TO 163.3187(1) F.S.; CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 20.691 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED ON THE NORTH SIDE OF COUNTY ROAD 44A, EAST OF EAST ELDORADO LAKE DRIVE, FROM RURAL TRANSITION IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

City of Eustis
Development Services Department
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5460

DRAFT

November 19, 2021

D. Ray Eubanks
Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
107 East Madison Street - MSC 160
Tallahassee, FL 32399-4120
Via Email Only: *Ray.Eubanks@deo.myflorida.com*

RE: Eustis Large-Scale Future Land Use Map Amendment (2020-CPLU-05)
DEO Amendment No. 20-05ESR – Extension Per F.S. 163.3184(3)(c)1

Dear Mr. Eubanks:

Pursuant to the November 12, 2020, June 23, 2021, and August 17, 2021 correspondence from your agency regarding the referenced amendment; be advised that the proposed amendment is associated with a voluntary annexation request. Due to actions by the Lake County Board of County Commissioners to block contiguity of the property subject to the annexation and future land use map amendment request, the Eustis City Commission has been unable to proceed with the second hearing and adoption of the amendment.

City Commission consideration of the adoption of 2020-CPLU-05 (20-05ESR) was originally scheduled for December 3, 2020, which consideration has been continued to a date certain on twelve occasions, most recently to the February 17, 2021 City Commission Meeting. Unless conditions surrounding the proposed voluntary annexation change, the City Commission cannot act on the adoption ordinances, and will likely be continuing consideration of 2020-CPLU-05 once again.

The City Attorney has reviewed the status of the proposed amendment package pursuant to F.S. 163.3184(3)(c)1. While May 11, 2021 would have been the deadline to adopt, the applicant has requested to extend the deadline for one year in order to resolve the issues preventing adoption of this amendment. Therefore, the City of Eustis is extending the deadline as provided for in the Statutes:

> "The second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, must be held within 180 days of your receipt of agency comments or the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S."

Per the requirements, this correspondence serves as notice to the Department. Further, this date, the City has also provided notice to affected parties that provided comment on the amendment on each of the ten hearings held on this amendment thus far.

Thank you for your consideration; please feel free to contact me should you have questions or require additional information.

Sincerely,

Lori Barnes

Lori Barnes, AICP
Development Services Director

c: Tom Carrino, Interim City Manager
Derek Schroth, Bowen and Schroth

File: 2020-CPLU-05

DRAFT

Notice of Extension Per F.S. 163.3184(3)(c)

You are receiving this notice because you are an "affected person" pursuant to the Florida Statutes as related to the proposed Large-Scale Comprehensive Plan Amendment 2020-CPLU-04 (Ordinance No. 20-33). The City of Eustis is required to provide notice when adoption of a proposed Comprehensive Plan Amendment does not occur within 180-days of receipt of State agency comments. No action is required on your part.

TO: Affected Parties

FROM: Lori Barnes, AICP, Development Services Director

DATE: November 19, 2021

RE: Notice of Extension Per F.S. 163.3138(3)(c): Eustis Large-Scale Future Land Use Map Amendment (2020-CPLU-06) Ordinance No 20-39 (DEO Amendment No. 20-06ESR)

The proposed Amendment subject to this notice is associated with a voluntary annexation request. Due to actions by the Lake County Board of County Commissioners to block contiguity of the property subject to the annexation and future land use map amendment request, the Eustis City Commission has been unable to proceed with the second hearing and adoption of the amendment.

City Commission consideration of the adoption of 2020-CPLU-06 (20-06ESR) was originally scheduled for December 3, 2020, which consideration has been continued to a date certain on twelve occasions, most recently to a February 17, 2022 City Commission Meeting. Unless conditions surrounding the proposed voluntary annexation change, the City Commission cannot act on the adoption ordinances, and will likely be continuing consideration of 2020-CPLU-06 once again.

Pursuant to F.S. 163.3184(3)(c)1, "The second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, must be held within 180 days of your receipt of agency comments or the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S." While May 11, 2021 would have been the deadline to adopt, the applicant has agreed to extend the deadline for one year in order to resolve the issues preventing adoption of this amendment.

This correspondence serves as notice to "affected parties," and notice has been provided to the Department of Economic Opportunity as required.

ORDINANCE NO. 20-39: 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 39.1691 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED ON THE EAST SIDE OF THRILL HILL ROAD, NORTH OF REEDY ROAD FROM RURAL IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

City of Eustis
Development Services Department
P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5460

DRAFT

November 19, 2021

D. Ray Eubanks
Plan Review and Processing Administrator
Florida Department of Economic Opportunity
Bureau of Community Planning and Growth
107 East Madison Street - MSC 160
Tallahassee, FL 32399-4120
Via Email Only: *Ray.Eubanks@deo.myflorida.com*

RE: Eustis Large-Scale Future Land Use Map Amendment (2020-CPLU-06)
DEO Amendment No. 20-06ESR – Extension Per F.S. 163.3184(3)(c)1

Dear Mr. Eubanks:

Pursuant to the November 12, 2020, June 23, 2021, and August 17, 2021 correspondence from your agency regarding the referenced amendment; be advised that the proposed amendment is associated with a voluntary annexation request. Due to actions by the Lake County Board of County Commissioners to block contiguity of the property subject to the annexation and future land use map amendment request, the Eustis City Commission has been unable to proceed with the second hearing and adoption of the amendment.

City Commission consideration of the adoption of 2020-CPLU-06 (20-06ESR) was originally scheduled for December 3, 2020, which consideration has been continued to a date certain on twelve occasions, most recently to the February 17, 2021 City Commission Meeting. Unless conditions surrounding the proposed voluntary annexation change, the City Commission cannot act on the adoption ordinances, and will likely be continuing consideration of 2020-CPLU-06 once again.

The City Attorney has reviewed the status of the proposed amendment package pursuant to F.S. 163.3184(3)(c)1. While May 11, 2021 would have been the deadline to adopt, the applicant has requested to extend the deadline for one year in order to resolve the issues preventing adoption of this amendment. Therefore, the City of Eustis is extending the deadline as provided for in the Statutes:

> "The second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, must be held within 180 days of your receipt of agency comments or the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S."

Per the requirements, this correspondence serves as notice to the Department. Further, this date, the City has also provided notice to affected parties that provided comment on the amendment on each of the ten hearings held on this amendment thus far.

Thank you for your consideration; please feel free to contact me should you have questions or require additional information.

Sincerely,

Lori Barnes

Lori Barnes, AICP
Development Services Director

c: Tom Carrino, Interim City Manager
Derek Schroth, Bowen and Schroth

File: 2020-CPLU-06

DRAFT

Notice of Extension Per F.S. 163.3184(3)(c)

You are receiving this notice because you are an "affected person" pursuant to the Florida Statutes as related to the proposed Large-Scale Comprehensive Plan Amendment 2020-CPLU-04 (Ordinance No. 20-33). The City of Eustis is required to provide notice when adoption of a proposed Comprehensive Plan Amendment does not occur within 180-days of receipt of State agency comments. No action is required on your part.

TO: Affected Parties

FROM: Lori Barnes, AICP, Development Services Director

DATE: November 19, 2021

RE: Notice of Extension Per F.S. 163.3138(3)(c): Eustis Large-Scale Future Land Use Map Amendment (2020-CPLU-05) Ordinance No 20-36 (DEO Amendment No. 20-05ESR)

The proposed Amendment subject to this notice is associated with a voluntary annexation request. Due to actions by the Lake County Board of County Commissioners to block contiguity of the property subject to the annexation and future land use map amendment request, the Eustis City Commission has been unable to proceed with the second hearing and adoption of the amendment.

City Commission consideration of the adoption of 2020-CPLU-05 (20-05ESR) was originally scheduled for December 3, 2020, which consideration has been continued to a date certain on twelve occasions, most recently to a February 17, 2022 City Commission Meeting. Unless conditions surrounding the proposed voluntary annexation change, the City Commission cannot act on the adoption ordinances, and will likely be continuing consideration of 2020-CPLU-05 once again.

Pursuant to F.S. 163.3184(3)(c)1, "The second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, must be held within 180 days of your receipt of agency comments or the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S." While May 11, 2021 would have been the deadline to adopt, the applicant has agreed to extend the deadline for one year in order to resolve the issues preventing adoption of this amendment.

This correspondence serves as notice to "affected parties," and notice has been provided to the Department of Economic Opportunity as required.

ORDINANCE NO. 20-36: 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 104.066 ACRES OF RECENTLY ANNEXED REAL PROPERTY LOCATED ON THE SOUTH SIDE OF COUNTY ROAD 44A, AND WEST OF THRILL HILL ROAD FROM RURAL TRANSITION IN LAKE COUNTY TO SUBURBAN RESIDENTIAL (SR) IN THE CITY OF EUSTIS.

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: DISCUSSION WITH PATELS REGARDING COLONIAL INN MOTEL

Introduction:
At the November 4, 2021, Commission meeting, Nayana Patel addressed the Commission to request that the City hold off on pursuing foreclosure of the Colonial Inn Motel. At that time, the Commission requested that Ms. Patel have her brother who will be managing the motel attend the November 18, 2021, meeting.

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 12 Nov 2021
Mary Montez, City Clerk	Approved - 12 Nov 2021

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: DISCUSSION REGARDING COMPENSATION FOR ACTING CITY MANAGER

Introduction:
At the November 4, 2021, Commission meeting, the Commission asked to have discussion at the November 18, 2021, meeting regarding the compensation for the Acting City Manager

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 12 Nov 2021
Mary Montez, City Clerk	Approved - 12 Nov 2021

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

Staff Report

TO: Eustis City Commission

FROM: Tom Carrino, Interim City Manager

DATE: November 18, 2021

RE: CITY ATTORNEY REPORT CONCERNING REMOVAL OF MAP #19 FROM THE COMPREHENSIVE PLAN

Introduction:
At the November 4, 2021, Commission meeting, the Commission requested that the City Attorney provide a report to the Commission regarding any effects that may occur from removal of Map #19 from the Comprehensive Plan.

Attachments:
Barnes email re JPA
Eustis-Lake County JPA Res. 87-34
Map 19

Reviewed by:

Tom Carrino, Interim City Manager	Approved - 12 Nov 2021
Mary Montez, City Clerk	Approved - 12 Nov 2021

From:	Derek Schroth
To:	Montez, Mary
Cc:	Barnes, Lori
Subject:	FW: Eustis Joint Planning Area Boundary
Date:	Friday, November 12, 2021 12:53:20 PM
Attachments:	Eustis-Lake County JPA Res. 87-34.pdf

From: Barnes, Lori <BarnesL@ci.eustis.fl.us>
Sent: Friday, June 14, 2019 10:43 AM
To: McClendon, Tim <tmcclendon@lakecountyfl.gov>
Cc: Neibert, Ronald <NeibertR@ci.eustis.fl.us>
Subject: RE: Eustis ISBA

Dear Tim:

Eustis' JPA boundary was established in 1987, the area of which was reduced by both Mount Dora and Tavares encroaching into the established Eustis JPA boundary.

I believe we can recognize an adjusted boundary based on agreements subsequently adopted by Lake County (Mount Dora JPA in 2004, and Tavares ISBA in 2015) that identify those areas (Lakes of Mount Dora and southern portion of Eustis Heights and Lake Hermosa) as part of those city's JPA/ISBA boundaries.

Furthermore, those geographic areas have already been annexed by Mount Dora and Tavares, leaving no question as to jurisdictional boundaries.

Best,
Lori Barnes, AICP, CPM
Development Services Director
City of Eustis
4 North Grove Street, P.O. Drawer 68, Eustis, FL 32727
Phone: (352) 483-5460
Email: barnesl@ci.eustis.fl.us

From: McClendon, Tim <tmcclendon@lakecountyfl.gov>
Sent: Friday, June 14, 2019 9:57 AM
To: Barnes, Lori <BarnesL@ci.eustis.fl.us>
Cc: Neibert, Ronald <NeibertR@ci.eustis.fl.us>
Subject: RE: Eustis ISBA

In the midst of our GIS team shake up, the department has been reviewing legal descriptions that were associated with old agreements (the map run by our GIS team is attached). It appears you may have areas unaccounted for in the maps you submitted, it actually looks like there may be discrepancies between Mount Dora and Eustis boundaries.

We are unaware of any updates to the JPA boundaries, but if we are wrong, please let us know.

I believe this is why Mount Dora has also requested to join the conversation.

TIM McCLENDON, AICP
Director

OFFICE OF PLANNING & ZONING

A 315 W. Main St., Suite 510, Tavares FL 32778
P 352-343-9672 | **F** 352-343-9767
E tmcclendon@lakecountyfl.gov | **W** www.lakecountyfl.gov

NOTE: *Florida has a very broad public records law.*
Your email communications may be subject to public disclosure.

From: Barnes, Lori [mailto:BarnesL@ci.eustis.fl.us]
Sent: Friday, June 14, 2019 8:05 AM
To: McClendon, Tim <tmcclendon@lakecountyfl.gov>
Cc: Neibert, Ronald <NeibertR@ci.eustis.fl.us>
Subject: Eustis ISBA

Good morning, Tim:

I called you last week regarding boundary discrepancy language in the ISBA responding resolution prepared by the County. The map of the existing JPA bounday has not changed since our last ISBA negotiations with the County, which boundary discrepancy was not mentioned in the past. Therefore, we would appreciate if you would specifically identify the geographic area or area of concern.

Thank you,
Lori Barnes, AICP, CPM
Development Services Director
City of Eustis
4 North Grove Street, P.O. Drawer 68, Eustis, FL 32727
Phone: (352) 483-5460
Email: barnesl@ci.eustis.fl.us

Please note: Florida has a very broad public records law. Most written communication to or from government officials regarding government/public business is public record available to the public and media upon request. Your e-mail communications may be subject to public disclosure.

PUBLIC HEARING —
1st READING 2/16/87
2nd & FINAL READING —

RESOLUTION NO. 87-34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; AND THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR COOPERATION IN THE PLANNING FOR FUTURE GROWTH, BY ESTABLISHING JOINT PLANNING AREAS TO ALLOW THE CITY TO PLAN WITH THE COUNTY FOR DEVELOPMENT OF THE UNINCORPORATED AREAS SURROUNDING THE CITY; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR POSTING ACCORDING TO LAW.

WHEREAS, the City of Eustis and Lake County wish to cooperate to plan for future growth in the unincorporated areas surrounding the City; and

WHEREAS, the City and the County agree that the unincorporated areas adjacent to the City might appropriately be served by urban services provided by the City, and might therefore be annexed into the City in accordance with State Law; and

WHEREAS, the City should plan with the County for the development of the unincorporated areas surrounding the City, to insure that adequate public services and facilities can be provided to these areas; and

WHEREAS, the Comprehensive Planning and Land Development Regulation Act provides for the establishment of Joint Planning Areas, to allow cities to plan with the County for the development of the unincorporated areas surrounding the City; and

WHEREAS, the City and County agree that a Joint Planning Area should be established with conditions that enhance the interest of both parties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA; AND THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA, AS FOLLOWS:

SECTION I. CONDITIONS

(l) The City of Eustis and Lake County hereby establish the Eustis/Lake County Joint Planning Area, as provided for by the Comprehensive Planning and Land Development Regulation Act (Section l63.3l7l, F.S.).

(2) The Eustis/Lake County Joint Planning Area shall encompass the area shown on Attachment "A", which is hereby made a part of this Resolution.

(3) The City of Eustis and Lake County hereby establish a Joint Planning Committee to monitor and review the development of a Plan for the Joint Planning Area, and to recommend such a Plan to the Eustis City Commission and the Board of County Commissioners for mutual adoption. The Joint Planning Committee shall include one (l) member each of the Planning Staffs of the City of Eustis and of Lake County; and two (2) members each, to be appointed by the Eustis City Commission and the Board of County Commissioners.

(4) The City agrees to prepare and adopt a Comprehensive Plan for the entire Eustis/Lake County Joint Planning Area, in conformance with the Comprehensive Planning and Land Development Regulation Act.

(5) The County agrees to adopt the Comprehensive Plan for the unincorporated portion of the Eustis/Lake County Joint Planning Area, when adopted in accordance with the Comprehensive Planning and Land Development Regulation Act.

(6) 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, as appropriate, in accordance with Chapter l63, F.S.

(7) The City and County, in the interim period prior to adopting amended Comprehensive Plans in accordance with the Comprehensive Planning and Land Development Regulation Act, will regulate development in the Joint Planning Area in accordance with their currently adopted Comprehensive Plans, and any amendment which may be made in accordance with State Law.

(8) In order to regulate land development within the Joint Planning Area for the mutual benefit of both parties, the City and County agree to notify each other of any Application for Voluntary Annexation, Contraction, Density Change, Rezoning, Site Plan Approval, Comprehensive Plan Change, or other Land Use Action within the area shown on Attachment "A". Notice by the City or County shall be given prior to Official Action, with sufficient time to respond.

(a) To facilitate performance under this Resolution, each party shall have the full cooperation and assistance from each other party, its officers, agents, and employees.

(b) Each party agrees to be responsible for the preparation and delivery of the required Notice to the other affected parties. A Notification Form is attached hereto as Attachment "B". Notice provided on this form shall be deemed timely if delivered within two (2) weeks of the receipt of Application for Official Action. The parties hereto agree that the opportunity to comment and voice concerns during staff review would be mutually advantageous. Therefore, each party agrees to use its best efforts to provide Notice required hereunder to the other affected parties prior to staff review and recommendation, so that the parties can meet to discuss and comment on the request, and suggest ways to alleviate any adverse impacts, if any, or to suggest constructive optionsor alternative proposals.

(c) This agreement shall be liberally construed so as to resolve any question in favor of providing Notice.

(d) Notice required or permitted hereunder shall be in writing, and be deemed properly made: (I) When hand delivered to the Official hereinafter designated; or (2) Upon deposit in the United States Mail, postage prepaid, addressed as set forth herein, or at such other address as shall have been specified by written Notice to all parties, delivered in accordance herewith:

City Of Eustis: Dan Kotulla
Community Development Coordinator
P. O. Drawer 68
Eustis, Florida 32727--0068

Lake County: Michael Szunyog
Director of Development Coordination
315 West Main Street
Tavares, Florida 32778

Notwithstanding notification as outlined above, each party agrees to provide the other with agendas of all relevent public meetings wherein items of mutual interest are being discussed or decided.

SECTION 2. EFFECTIVE DATE

This Resolution shall become effective upon its passage, adoption, and approval by both the City of Eustis and Lake County; and posting according to law.

PASSED, RESOLVED, AND APPROVED in Regular Session of the City Commission of the City of Eustis, Florida, this the 16th day of July, 1987.

CITY COMMISSION OF THE CITY OF EUSTIS

Mayor-Commissioner

ATTEST:

City Clerk

PASSED AND ADOPTED THIS 21 day of July, 1987, at a Regular Meeting of the Lake County Board of County Commissioners.

LAKE COUNTY BOARD OF COUNTY COMMISSIONERS

Thomas Windram, Chairman

ATTEST:

Harry Miss Jr C.A.C

James C. Watkins, Clerk

CERTIFICATE OF POSTING

The foregoing Resolution No. 87-34 is hereby approved, and I hereby certify that I published the same by posting one (l) copy hereof at the City Hall, one (l) copy hereof at the Eustis Memorial Library, and one (l) copy hereof at the Eustis Community Center; all within the corporate limits of the City of Eustis, Lake County, Florida.

City Clerk

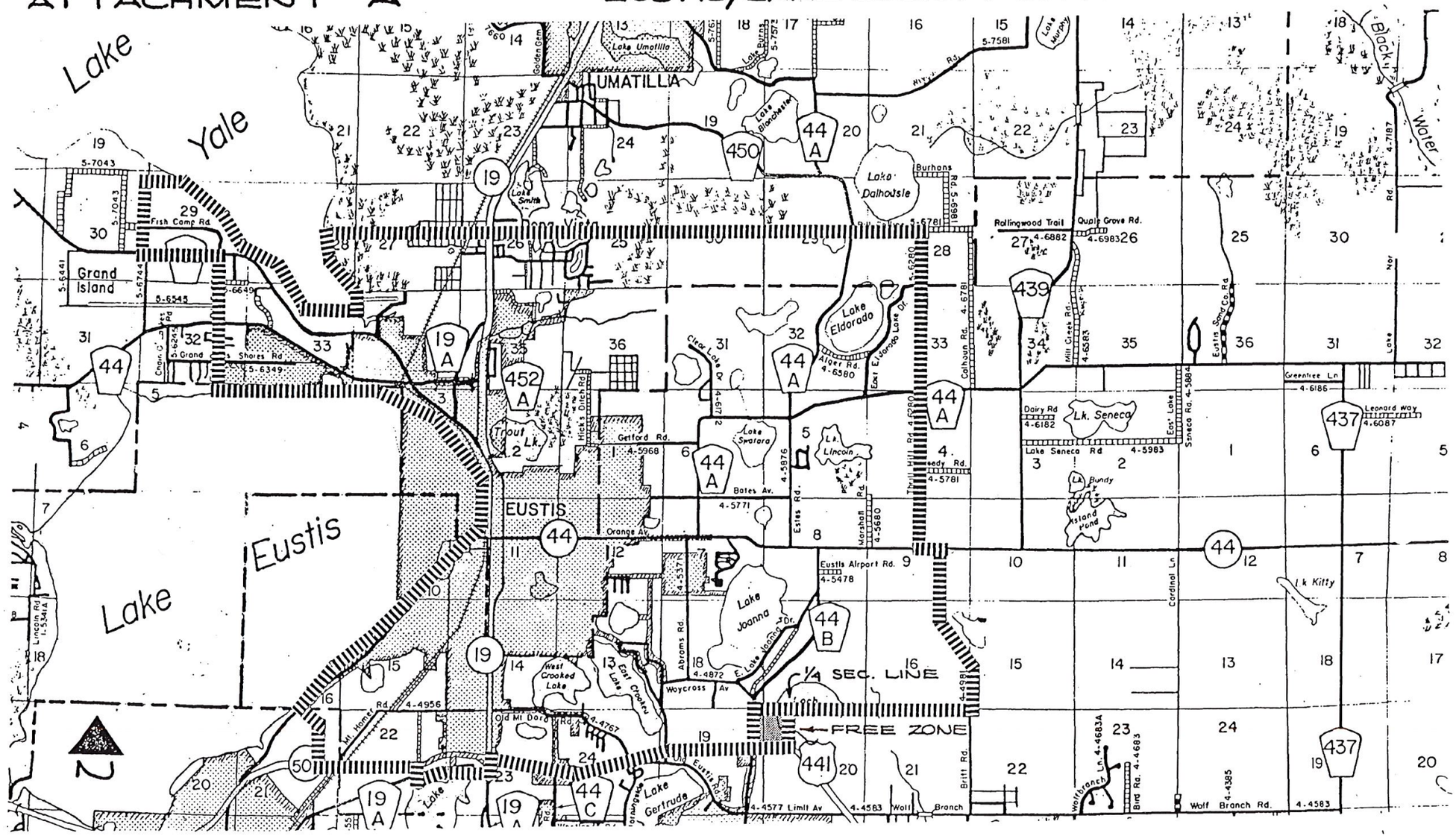
Reviewed and approved for legal content.

City Attorney's Office

July 16, 1987
Date

ATTACHMENT "A"

EUSTIS/LAKE COUNTY JOINT PLANNING AREA



ATTACHMENT B

NOTICE OF APPLICATION AFFECTING LAND USE OR DEVELOPMENT

From: _____

To: _____

Date: _____

Name of Applicant: _____

Name of Project: _____

Street Address or General Location: _____

Legal Description: (Attach copy if lengthy)

Action Requested:

Annexation _____

Contraction _____

Density/Intensity Change _____

Rezoning from _____ to _____

Comprehensive Plan Change from _____
to _____

Other Land Use Action (describe): _____

Proposed Use of Property: _____

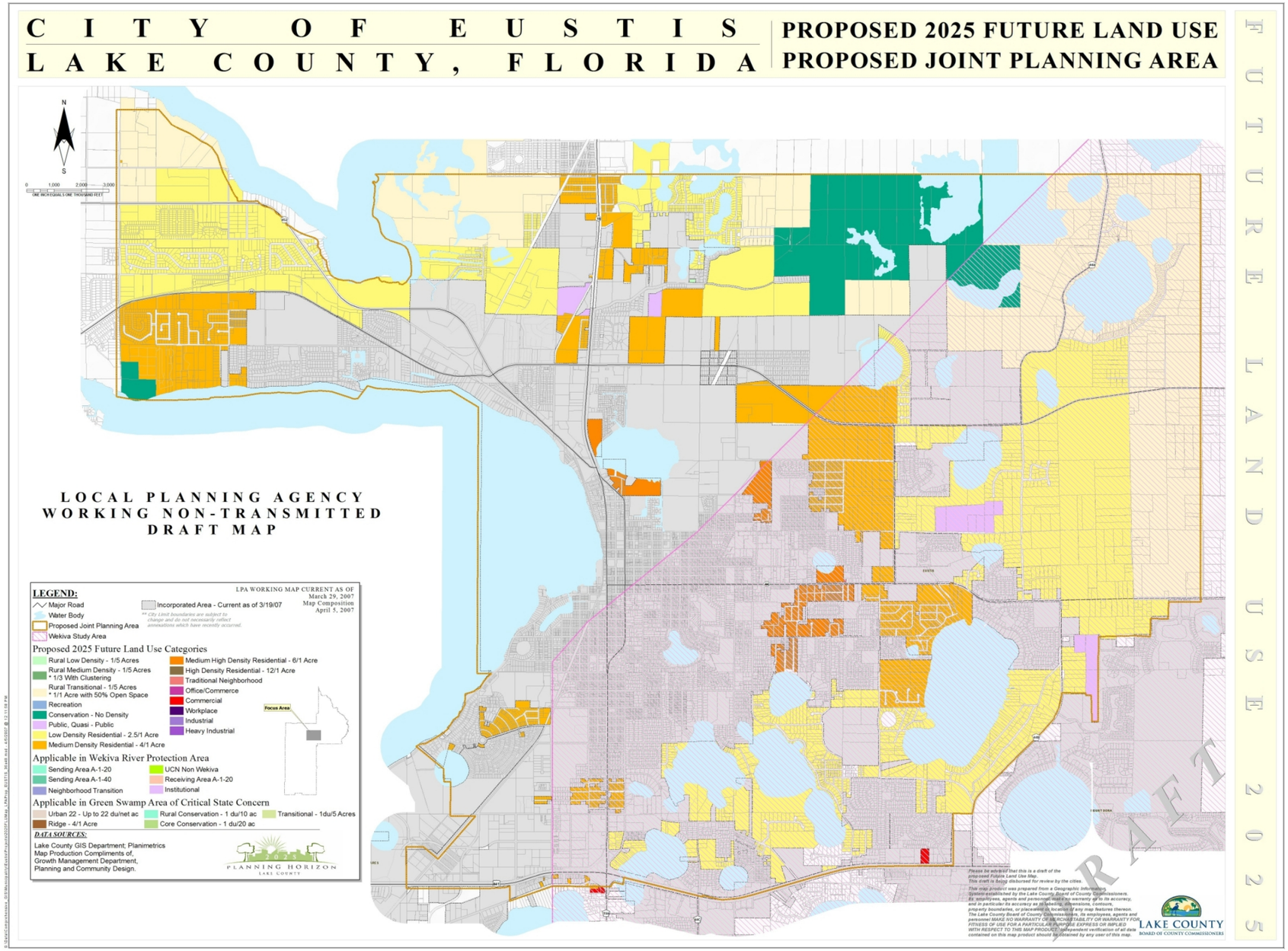
Publishing Dates for LegaL Notice: _____

Staff Review Scheduled for: _____

Date, Time, Place of Public Hearing: _____

Contact Person: _____

Telephone: _____



City of Eustis Comprehensive Plan

Map #19

Eustis-Lake County Joint Planning Area

Source: City of Eustis

Map Date: March 10, 2010