

RESOLUTION NUMBER 25-02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, APPOINTING A SPECIAL MAGISTRATE AS THE CITY'S LOCAL HEARING OFFICER PURSUANT TO ORDINANCE 24-11 AND CHAPTER 316, FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 1, 2024, the City of Eustis (the "City") adopted Ordinance Number 24-11 authorizing the use and implementation of school zone speed detection systems within City limits, to promote deterrence of drivers speeding through school zones, and thereby aid in further protecting the health, safety and welfare of students, pedestrians and residents; and

WHEREAS, pursuant to Ordinance Number 24-11, the City Commission designated its currently appointed Code Enforcement Board to serve as its Local Hearing Officer, having jurisdiction to conduct proceedings in accordance with Chapter 316, Florida Statutes, as such may be amended from time to time; and

WHEREAS, the City Commission, in good faith, has determined the appointment of a Special Magistrate to serve as the City's Local Hearing Officer is in the best interest of the City and its residents, respecting the demands already placed on the Code Enforcement Board members; and

WHEREAS, consistent with the City's Code of Ordinances and Chapter 316, Florida Statutes, the City Commission chooses to appoint counsel for the Code Enforcement Board as Special Magistrate solely to serve as the Local Hearing Officer in Chapter 316 proceedings; and

WHEREAS, said counsel agrees to and wishes to accept the Special Magistrate appointment pursuant to the terms stated in the attached Professional Services Agreement.

NOW, THEREFORE, be it resolved by the City Commission of the City Eustis, Florida that:

Section 1. Appointment and Designation of Local Hearing Officer. The City Commission of the City of Eustis hereby appoints Matthew C. Frey of Campione & Hackney, P.A. as a Special Magistrate to serve as the City's Local Hearing Officer.

Section 2. City Manager Authorization. The City Manager is hereby authorized to execute the attached Professional Services Agreement between the City and the law firm Campione & Hackney, P.A.

Section 3. Conflict. Any other Resolution or part thereof in conflict with this Resolution or any part hereof is hereby repealed to the extent of the conflict.

Section 4. Severability. It is declared to be the intent of the City Commission of the City of Eustis that, if any section or portion of this Resolution is for any reason held invalid or unconstitutional, by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

DONE AND ADOPTED in Regular Session of the City Commission of the City of Eustis, Florida, this 6th day of February, 2025.

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

Gary Ashcraft
Vice Mayor/Commissioner

ATTEST:

Christine Halloran, City Clerk

CITY OF EUSTIS CERTIFICATION

**STATE OF FLORIDA
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by means of physical presence, this 6th day of February, 2025 by Gary Ashcraft, Vice Mayor/Commissioner, and Christine Halloran, City Clerk, who are personally known to me.

Notary Public - State of Florida
My Commission Expires:
Notary Serial Number:

CITY ATTORNEY'S OFFICE

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

City Attorney's Office

Date

CERTIFICATE OF POSTING

The foregoing Resolution Number 25-02 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

Christine Halloran, City Clerk