



# City of Eustis

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TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: July 18, 2024

RE: Resolution Number 24-62: Utility Services for Non-City Residents and Annexations

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## **Background**

The City has received increased requests by individual property owners for use of City utility services for both contiguous and non-contiguous properties. Currently, the City has a process for developers, but not individual property owners. The City has a long-standing policy of requiring annexation of contiguous property owners to connect to City services.

The Florida Supreme Court in *Allen's Creek Properties, Inc. v. City of Clearwater*, 679 So.2d 1172 (Fla. 1996), held it is a reasonable and lawful condition for a municipality to require property owners to execute annexation agreements prior to obtaining utilities from the municipality.

Annexation agreements may be executed both for properties that are contiguous and properties that are not contiguous to the City limits to enable the property owner use of the City's utility services prior to the actual annexation of the property into the City of Eustis.

The use of annexation agreements provides for a more streamlined and expeditious process for individual property owners currently outside City limits seeking to connect to available City utilities. The annexation agreements clearly outline the terms and conditions for the property owner making this request.

## **Recommendation**

Approval of Resolution Number 24-62.

## **Attachments**

Resolution 24-62 with corresponding exhibits.

**Prepared By:** Sasha Garcia, City Attorney

**Reviewed By:** Tom Carrino, City Manager