



City of Eustis

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TO: EUSTIS CITY COMMISSION

FROM: TOM CARRINO, CITY MANAGER

DATE: JULY 17, 2025

RE: RESOLUTION NUMBER 25-56 AUTHORIZING MOVING FORWARD
WITH THE RECORDING OF LIEN ON A DELINQUENT UTILITY
ACCOUNT

Introduction:

On September 7, 2017, the Commission adopted Resolution Number 17-10, which approved implementing property liens for qualifying delinquent utility accounts. The purpose of recording a lien is twofold:

- 1) To recover the City's water, wastewater, stormwater, irrigation, reclaimed water and garbage services previously provided but not paid.
- 2) To follow Florida Statutes. F.S. 159.17 *Lien of Service Charges* requires any city issuing revenue bonds to have property liens on utility systems for non-payment of services provided. The City currently has Water and Sewer Series 2016 Revenue Bonds.

Staff identified accounts over 90 days delinquent. With proper notice provided, the City discontinued utility services upon failure of the property owner to pay for water, wastewater, irrigation, stormwater and garbage services. The City has exhausted all collection options. With the Commission's approval, liens will be applied to the account.

Background:

The approval of this lien is for a City resident who is experiencing extenuating circumstances with a child who has a medical condition. The resident did provide a doctor's note. However, the City's Legal Counsel has advised that the doctor's note does not allow for a carte blanche failure to pay but did allow Water Customer Service to work with the resident for several months up until this point. The customer did attempt to work out a payment arrangement, but the check provided to turn the water service back on was returned NSF. The customer currently has water service and an outstanding past due bill of \$1,056.45. She has not responded to messages or letters sent by Water Customer Service.

City staff believe we have exhibited great passion, patience and accommodation for the resident to the greatest extent possible. Given the recent NSF check, the account has reached a point where staff feel action must be taken.

During the course of reviewing this specific account, staff realized the City's Ordinance regarding the collections process needs to be revised in order to better align with the current lien process, allowing for flexibility in the order in which steps are taken as collection efforts may vary for each individual property. Staff will be bringing a revised Ordinance to Commission in the near future.

It is also important to note that the customer's irrigation meter has been locked by the City's Environmental Compliance Department due to non-compliance with backflow testing.

Recommended Action:

Staff recommend approval of Resolution Number 25-56 authorizing the recording of lien for the property located at 3458 Creek Run Lane.

Prepared By:

Nichole Jenkins, Water Customer Service Manager

Reviewed By:

Lori Carr, Finance Director