

RESOLUTION NUMBER 25-48

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AUTHORIZING THE TEMPORARY DONATION OF VACANT MUNICIPAL OFFICE SPACE TO U.S. HOUSE REPRESENTATIVE FOR DISTRICT 6 FOR OFFICIAL LEGISLATIVE USE; PROVIDING FOR CONDITIONS OF USE, FINDINGS OF VALID MUNICIPAL PUBLIC PURPOSE, RETENTION OF CITY ACCESS, AND COMPLIANCE WITH LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Eustis, Florida (the "City") is a duly organized municipal corporation authorized under Chapter 166, Florida Statutes, to exercise home rule powers, including the authority to manage and dispose of municipal real property in furtherance of the public welfare; and

WHEREAS, the City is the fee simple owner of certain municipal office space located at 51 East Norton Avenue (the "Premises"), which is currently vacant and not needed for immediate municipal use; and

WHEREAS, the duly elected U.S. House Representative for District 6 has requested temporary use of the Premises during the current legislative term for the purpose of providing constituent services and facilitating legislative outreach; and

WHEREAS, the Representative has submitted a completed "Memorialization of No-Cost District Office Space" form approved by the U.S. House of Representatives, memorializing that the Premises shall be used exclusively for public, non-political, and official governmental functions; and

WHEREAS, Article VII, Section 10(c) of the Florida Constitution prohibits the donation of public property except where the governmental entity makes a determination that the donation serves a valid public purpose, and retains adequate control to ensure continued public benefit; and

WHEREAS, the Florida Attorney General has opined that municipalities may authorize the temporary use of public property without compensation where the use serves a legitimate public purpose and appropriate safeguards are in place (see, e.g., Op. Att'y Gen. Fla. 2006-12 (2006)); and

WHEREAS, the City Commission finds that providing access to this office space serves a legitimate public purpose by supporting open communication between residents and their elected state representative, promoting access to government, and facilitating nonpartisan constituent services; and

WHEREAS, the City will retain all necessary access rights and regulatory oversight, and the Premises shall remain under City ownership and control throughout the term of use; and

WHEREAS, this arrangement will not interfere with City operations, and the City will retain inspection and emergency access rights, maintain the space, and monitor compliance with all terms of use; and

WHEREAS, this action is consistent with the City's prior practice of intergovernmental cooperation and use of municipal resources to support public-serving objectives.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA:

Section 1. The foregoing recitals are hereby adopted and incorporated by reference as findings of the City Commission.

Section 2. The City Commission hereby determines that the temporary use of municipal office space by U.S. House Representative for District 6 during the current legislative term constitutes a valid public purpose within the meaning of Article VII, Section 10 of the Florida Constitution, and is authorized pursuant to the City's home rule authority under Chapter 166, Florida Statutes.

Section 3. The City Commission hereby authorizes the City Manager to make available to the Representative and their official staff, at no cost, the designated office space located at 51 East Norton Avenue for official legislative use only, subject to the following conditions:

- a. Use is limited to the current legislative term.
- b. Activities within the Premises shall be strictly limited to official, non-political, governmental functions.
- c. No campaign-related, fundraising, or personal activities shall be permitted.
- d. Public access shall be permitted primarily by appointment during regular business hours.
- e. The City shall provide utilities, janitorial services, and basic furnishings and services at no cost.
- f. The City shall retain access for inspection, emergency response, and compliance monitoring.
- g. The Representative shall comply with all applicable City policies, codes, and ordinances.
- h. The Representative shall be responsible for ensuring the space is used lawfully and only by authorized staff.
- i. Any material modification of the space shall require prior written consent from the City Manager.
- j. The Premises shall revert to full City control at the end of the legislative term or earlier if use ceases to serve the public purpose as stated herein.

Section 4. The City Manager and City Attorney are authorized to coordinate the implementation of this Resolution, including any documentation necessary to memorialize the terms consistent with the U.S. House “Memorialization of No-Cost District Office Space” form.

Section 5. If any section, subsection, clause, or provision of this Resolution is held invalid, the remainder shall continue in full force and effect.

Section 6. This Resolution shall become effective immediately upon adoption.

PASSED, ORDAINED, AND ADOPTED in Regular Session of the City Commission of the City of Eustis, Florida, this 19th day of June 2025.

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

Willie L. Hawkins
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 19th day of June 2025 by Willie L. Hawkins, 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 25-48 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